

EIGHTIETH DAY

(Wednesday, May 28, 1941)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Fitzgerald
Allison	Fuchs
Alsup	Gandy
Anderson	Garland
Avant	Gilmer
Bailey	Goodman
Baker	Halsey
Bean	Hanna
Bell	Hardeman
Benton	Hargis
Blankenship	Harris of Dallas
Boone	Harris of Hill
Brawner	Hartzog
Bray	Helpinstill
Bridgers	Henderson
Brown	Hileman
Bruhl	Hobbs
Bullock	Howard
Bundy	Howington
Burkett	Hoyo
Burnaman	Huddleston
Carlton	Hughes
Carrington	Humphrey
Cato	Hutchinson
Celaya	Isaacks
Chambers	Jones
Clark	Kelly
Cleveland	Kennedy
Coker	Kersey
Colson, Mrs.	Kinard
Connelly	King
Craig	Klingeman
Crossley	Knight
Crosthwait	Lansberry
Daniel	Lehman
Davis	Leyendecker
Deen	Little
Dickson of Bexar	Lock
Dickson of Nolan	Love
Donald	Lowry
Dove	Lucas
Duckett	Lyle
Dwyer	McAlister
Ellis	McCann
Eubank	McDonald
Evans	McGlasson
Favors	McLellan
Ferguson	McMurry
Files	McNamara

Manford	Sallas
Manning	Senterfitt
Markle	Sharpe
Martin	Shell
Matthews	Simpson
Mills	Skiles
Montgomery	Smith of Bastrop
Moore	Smith of Atascosa
Morgan	Spacek
Morris	Spangler
Morse	Stanford
Murray	Stinson
Pace	Stubbs
Parker	Taylor
Pevehouse	Thornton
Phillips	Turner
Price	Vale
Rampy	Voigt
Reed of Bowie	Walters
Reed of Dallas	Wattner
Ridgeway	Weatherford
Rhodes	White
Roark	Whitesides
Roberts	Winfree

Absent—Excused

Allen	Huffman
Heflin	Nicholson

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Lord, as we come to Thy throne of grace we can but know our own weakness and our unworthiness in Thy sight. Look upon us, our state, and our nation; and as Thou dost see our need wilt Thou bare Thine arm of power and be our defense, and we find strength in Thee. We pray for qualification for every duty, as we carry on in Thy presence. In Jesus' name. Amen.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Allen for today on motion of Mr. Markle.

Mr. Heflin for today on motion of Mr. Montgomery.

Mr. Ellis, temporarily on last May 26, on motion of Mr. Bailey.

MESSAGE FROM THE SENATE

Austin, Texas, May 28, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed, notwithstanding the objections of the Governor,

S. B. No. 20, A bill to be entitled "An Act providing a more efficient fiscal system for the State of Texas, creating a legislative audit committee, and declaring an emergency," by the following vote: yeas, 25; nays, 1.

Adopted

H. C. R. No. 180, Suspending Joint Rule 21 so as to permit the Senate to consider certain bills.

Respectfully,

BOB BARKER,

Secretary of the Senate.

RELATIVE TO CERTAIN INVESTIGATING COMMITTEE

Mr. Coker offered the following resolution:

H. S. R. No. 310, Relative to investigating committee investigating labor activities.

Whereas, Under the authority of House Simple Resolution No. 167, the House of Representatives authorized the appointment of a committee to investigate certain labor questions in this State; and

Whereas, This committee has not had sufficient time during this session to make this investigation due to other Legislative duties, and

Whereas, This country is now at the crossroads and must act swiftly without hindrance on the part of any individual or group of individuals, if the American way of life is to be preserved; and

Whereas, The laboring men of this State have shown evidence of a desire to work in unity with very few exceptions and that charge after charge has been hurled at organized labor as to their unwillingness to cooperate in the de-

fense of this Democracy and that the citizens of Texas are growing tired of these charges; and

Whereas, This Committee has not had sufficient time to make an investigation; therefore, be it

Resolved, That this Committee be made a standing committee with an appropriation of Twenty-five Hundred Dollars (\$2500) to carry forward this investigation, joining hands with labor and the citizens of this State as evidenced to the other citizens of this Country that Texas is anxious, ready and willing to work hand in hand with our Federal Government in eliminating all un-American activity, doing her part in protecting the American way of life in every way that is humanly possible.

The resolution was read second time.

Mr. Harris of Dallas raised a point of order on further consideration of the resolution at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Hanna moved to suspend the Rules relative to the consideration of resolutions until the above resolution is disposed of.

The motion prevailed.

(Mr. Reed of Dallas in the Chair.)

Mr. Reed of Bowie moved to table the resolution by Mr. Coker.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows: Yeas, 63; nays, 58.

A verification of the vote was requested.

(Speaker in the Chair.)

The roll of the "yeas" and "nays" was again called and the verified vote resulted as follows:

Yeas—63

Alsup	Kennedy
Bailey	Kersey
Benton	King
Blankenship	Klingeman
Boone	Knight
Brawner	Love
Bridgers	McCann
Bruhl	Manford
Bullock	Martin
Carrington	Mills
Cleveland	Morse
Craig	Murray
Crossley	Pace
Davis	Parker
Deen	Phillips
Dickson of Bexar	Rampy
Dove	Reed of Bowie
Ellis	Ridgeway
Evans	Roberts
Files	Sallas
Fitzgerald	Sharpe
Gandy	Simpson
Garland	Skiles
Gilmer	Smith of Atascosa
Goodman	Spacek
Hanna	Stinson
Hardeman	Stubbs
Harris of Dallas	Thornton
Harris of Hill	Voigt
Howington	Wattner
Hoyo	Whitesides
Jones	

Nays—59

Allison	Huddleston
Avant	Hughes
Bean	Humphrey
Bell	Hutchinson
Bray	Isaacks
Burkett	Kinard
Burnaman	Lansberry
Carlton	Lehman
Cato	Leyendecker
Coker	Little
Connelly	Lock
Crosthwait	Lowry
Daniel	Lucas
Dickson of Nolan	Lyle
Donald	McAlister
Duckett	McGlasson
Eubank	McLellan
Favors	McMurry
Ferguson	McNamara
Fuchs	Manning
Hargis	Matthews
Helpinstill	Montgomery
Henderson	Moore
Hileman	Morris
Howard	Pevehouse

Price	Taylor
Rhodes	Walters
Roark	Weatherford
Senterfitt	Winfree
Smith of Bastrop	

Absent

Anderson	Kelly
Baker	McDonald
Brown	Markle
Bundy	Morgan
Celaya	Reed of Dallas
Chambers	Shell
Clark	Spangler
Colson, Mrs.	Stanford
Dwyer	Turner
Halsey	Vale
Hartzog	White
Hobbs	

Absent—Excused

Allen	Huffman
Heflin	Nicholson

The Speaker announced that the motion to table the resolution by Mr. Coker prevailed.

EXTENDING CONGRATULATIONS
OF THE HOUSE TO HON.
P. L. ANDERSON

Mr. Hoyo offered the following resolution:

H. S. R. No. 312, Extending Congratulations of the House to Honorable P. L. Anderson.

Whereas, On May 27, 1941, Honorable P. L. Anderson, Representative, 78th District, Place No. 1, Bexar County, Texas, was elected by the voters of San Antonio, the cradle of Texas liberty, to the position of Fire and Police Commissioner of said city; and

Whereas, Representative Anderson has served Bexar County and the State of Texas as a Member of the House of Representatives during the past fourteen (14) years ably and well; and

Whereas, Our colleague is the author of many constructive laws now on the statute books of this great commonwealth which will stand as a monument to his memory; and

Whereas, His wise counsel and guidance will be missed by the House of Representatives and by the

people of Bexar County and the State of Texas, but we feel that our loss will be the gain of the Alamo City; now, therefore, be it

Resolved, by the House of Representatives, That we extend congratulations to the Honorable P. L. Anderson and to the citizens of San Antonio and wish for him a long, happy and prosperous administration of the affairs of his new office.

HOYO,
RIDGEWAY,
DWYER,
WINFREE.

The resolution was read second time and was adopted.

(Mr. Goodman in the Chair.)

(Speaker in the Chair.)

SUSPENDING JOINT RULES

Mr. Lucas offered the following resolution:

H. C. R. No. 182, Suspending Joint Rules to Consider House Joint Resolution No. 32.

Be it resolved by the House of Representatives, the Senate concurring, That the Joint Rules be suspended so that the House may take up and consider House Joint Resolution No. 32, which proposes an amendment to Article III of the Constitution of the State of Texas granting the Legislature power to pass local laws by population brackets, on Wednesday, May 28, and Thursday, May 29, 1941.

The resolution was read second time and was adopted.

AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 73

Mr. Isaacks offered the following resolution:

H. C. R. No. 183, Authorizing Certain Correction in House Bill No. 73.

Whereas, House Bill No. 73 has been passed by the House and Senate and the Free Conference Committee in redrafting the bill in Sections 2 and 3 inadvertently wrote "Article 802a" and "Article 802b" when it was the intention to designate said "Articles 802b and 802c; now

Therefore be it resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be instructed to insert in Section 2 after the figures "802" wherever they appear in Section 2 the letter "b" and in Section 3 wherever the figures appear the letter "c," and to correct the caption thereof in the same manner.

The resolution was read second time and was adopted.

SENATE BILL NO. 479 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 479, A bill to be entitled "An Act authorizing eligible cities as defined herein to issue refunding revenue bonds to take up outstanding revenue bonds issued for the purpose of constructing Exposition and Convention Halls or Coliseums; etc., and declaring an emergency."

The bill was read second time.

Mr. McLellan offered the following amendment to the bill:

Amend Section 1 of Senate Bill No. 479 by striking out the words "without an election and without notice of intention to issue such bonds," which appear in the second paragraph thereof, and inserting in lieu thereof the following, "after a majority of the qualified voters residing therein have approved the issuance thereof at an election ordered and held in compliance with the provisions of Chapter 382 of the Acts of the Forty-fourth Legislature, First Called Session, 1935."

McLELLAN,
HEFLIN.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 479 was then passed to third reading.

SENATE BILL NO. 479 ON
THIRD READING

Mr. Morse moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 479 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—129

Allison	Hanna
Alsup	Hardeman
Anderson	Hargis
Avant	Harris of Dallas
Bailey	Harris of Hill
Baker	Hartzog
Bell	Henderson
Benton	Hileman
Blankenship	Howard
Boone	Howington
Brawner	Hoyo
Bray	Huddleston
Bridgers	Hughes
Brown	Humphrey
Bruhl	Hutchinson
Bundy	Isaacks
Carlton	Jones
Carrington	Kelly
Cato	Kennedy
Celaya	Kersey
Chambers	Kinard
Clark	Klingeman
Cleveland	Knight
Coker	Lansberry
Colson, Mrs.	Lehman
Connelly	Leyendecker
Craig	Little
Crossley	Lock
Daniel	Love
Davis	Lowry
Deen	Lucas
Dickson of Bexar	Lyle
Dickson of Nolan	McCann
Donald	McDonald
Dove	McGlasson
Duckett	McMurry
Ellis	McNamara
Eubank	Manford
Evans	Manning
Favors	Markle
Ferguson	Martin
Fitzgerald	Matthews
Fuchs	Mills
Gandy	Montgomery
Garland	Moore
Gilmer	Morgan
Halsey	Morris

Morse	Simpson
Murray	Skiles
Pace	Smith of Bastrop
Parker	Smith of Atascosa
Pevehouse	Spacek
Phillips	Spangler
Price	Stanford
Rampy	Stinson
Reed of Bowie	Taylor
Reed of Dallas	Thornton
Ridgeway	Turner
Rhodes	Vale
Roark	Voigt
Roberts	Walters
Sallas	Wattner
Senterfitt	Whitesides
Sharpe	Winfree
Shell	

Absent

Bean	Helpinstill
Bullock	Hobbs
Burkett	King
Burnaman	McAlister
Crosthwait	McLellan
Dwyer	Stubbs
Files	Weatherford
Goodman	White

Absent—Excused

Allen	Huffman
Heflin	Nicholson

The Speaker then laid Senate Bill No. 479 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—129

Allison	Clark
Alsup	Cleveland
Anderson	Coker
Avant	Colson, Mrs.
Bailey	Connelly
Baker	Craig
Bell	Crossley
Benton	Daniel
Blankenship	Davis
Boone	Deen
Brawner	Dickson of Bexar
Bray	Dickson of Nolan
Bridgers	Donald
Brown	Dove
Bruhl	Duckett
Bundy	Ellis
Carlton	Eubank
Carrington	Evans
Cato	Favors
Celaya	Ferguson
Chambers	Fitzgerald

Fuchs	Markle
Gandy	Martin
Garland	Matthews
Gilmer	Mills
Halsey	Montgomery
Hanna	Moore
Hardeman	Morgan
Hargis	Morris
Harris of Dallas	Morse
Harris of Hill	Murray
Hartzog	Pace
Henderson	Parker
Hileman	Pevehouse
Howard	Phillips
Howington	Price
Hoyo	Rampy
Huddleston	Reed of Bowie
Hughes	Reed of Dallas
Humphrey	Ridgeway
Hutchinson	Rhodes
Isaacks	Roark
Jones	Roberts
Kelly	Sallas
Kennedy	Senterfitt
Kersey	Sharpe
Kinard	Shell
Klingeman	Simpson
Knight	Skiles
Lansberry	Smith of Bastrop
Lehman	Smith of Atascosa
Leyendecker	Spacek
Little	Spangler
Lock	Stanford
Love	Stinson
Lowry	Taylor
Lucas	Thornton
Lyle	Turner
McCann	Vale
McDonald	Voigt
McGlasson	Walters
McMurry	Wattner
McNamara	Whitesides
Manford	Winfree
Manning	

Absent

Bean	Helpinstill
Bullock	Hobbs
Burkett	King
Burnaman	McAlister
Crosthwait	McLellan
Dwyer	Stubbs
Files	Weatherford
Goodman	White

Absent—Excused

Allen	Huffman
Heflin	Nicholson

**SENATE BILL NO. 475 ON
SECOND READING**

(By unanimous consent)

The Speaker laid before the

House, on its second reading and passage to third reading,

S. B. No. 475, A bill to be entitled "An Act accepting title to and establishing King's State Park and setting up a Board of Commissioners to advise and assist the Board of Control in the improvement, care and preservation of said park; and declaring an emergency."

The bill was read second time and was passed to third reading.

**SENATE BILL NO. 475 ON
THIRD READING**

Mr. Shell moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 475 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Allison	Ellis
Alsup	Favors
Anderson	Ferguson
Avant	Fitzgerald
Bailey	Fuchs
Baker	Gandy
Bean	Garland
Bell	Goodman
Benton	Halsey
Blankenship	Hanna
Boone	Hardeman
Brawner	Hargis
Bray	Harris of Dallas
Bridgers	Hartzog
Brown	Helpinstill
Bruhl	Henderson
Bullock	Hileman
Bundy	Howard
Burkett	Howington
Carlton	Hoyo
Carrington	Huddleston
Cato	Hughes
Chambers	Humphrey
Clark	Hutchinson
Cleveland	Isaacks
Coker	Jones
Colson, Mrs.	Kelly
Connelly	Kennedy
Crossley	Kersey
Davis	Kinard
Deen	Klingeman
Dickson of Bexar	Knight
Dickson of Nolan	Lansberry
Duckett	Lehman
Dwyer	Leyendecker

Little	Reed of Dallas	Brown	Leyendecker
Lock	Ridgeway	Bruhl	Little
Love	Rhodes	Bullock	Lock
Lowry	Roark	Bundy	Love
Lucas	Roberts	Burkett	Lowry
Lyle	Sallas	Carlton	Lucas
McCann	Senterfitt	Carrington	Lyle
McDonald	Sharpe	Cato	McCann
McGlasson	Shell	Chambers	McDonald
McMurry	Simpson	Clark	McGlasson
McNamara	Smith of Bastrop	Cleveland	McMurry
Manford	Smith of Atascosa	Coker	McNamara
Manning	Spacek	Colson, Mrs.	Manford
Markle	Spangler	Connelly	Manning
Martin	Stanford	Crossley	Markle
Matthews	Stinson	Davis	Martin
Montgomery	Taylor	Deen	Matthews
Moore	Thornton	Dickson of Bexar	Montgomery
Morgan	Turner	Dickson of Nolan	Moore
Morris	Vale	Duckett	Morgan
Morse	Voigt	Dwyer	Morris
Pace	Walters	Ellis	Morse
Parker	Wattner	Favors	Pace
Pevehouse	White	Ferguson	Parker
Price	Whitesides	Fitzgerald	Pevehouse
Rampy	Winfree	Fuchs	Price
Reed of Bowie		Gandy	Rampy
	Absent	Garland	Reed of Bowie
		Goodman	Reed of Dallas
Burnaman	Harris of Hill	Halsey	Ridgeway
Celaya	Hobbs	Hanna	Rhodes
Craig	King	Hardeman	Roark
Crosthwait	McAlister	Hargis	Roberts
Daniel	McLellan	Harris of Dallas	Sallas
Donald	Mills	Hartzog	Senterfitt
Dove	Murray	Helpinstill	Sharpe
Eubank	Phillips	Henderson	Shell
Evans	Skiles	Hileman	Simpson
Files	Stubbs	Howard	Smith of Bastrop
Gilmer	Weatherford	Howington	Smith of Atascosa
	Absent—Excused	Hoyo	Spacek
		Huddleston	Spangler
Allen	Huffman	Hughes	Stanford
Heflin	Nicholson	Humphrey	Stinson
		Hutchinson	Taylor
		Isaacks	Thornton
		Jones	Turner
		Kelly	Vale
		Kennedy	Voigt
		Kersey	Walters
		Kinard	Wattner
		Klingeman	White
		Knight	Whitesides
		Lansberry	Winfree
		Lehman	
			Absent
Allison	Bell	Burnaman	Daniel
Alsop	Benton	Celaya	Donald
Anderson	Blankenship	Craig	Dove
Avant	Boone	Crosthwait	Eubank
Bailey	Brawner		
Baker	Bray		
Bean	Bridgers		

The Speaker then laid Senate Bill No. 475 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—123

Evans	McLellan
Files	Mills
Gilmer	Murray
Harris of Hill	Phillips
Hobbs	Skiles
King	Stubbs
McAlister	Weatherford

Absent—Excused

Allen	Huffman
Heflin	Nicholson

CONSIDERATION OF CONFERENCE COMMITTEE
REPORT ON SENATE
BILL NO. 402

The Speaker laid before the House for consideration, at this time, the conference committee report on Senate Bill No. 402.

The report having been printed in the Journal on last Thursday, May 22.

Question: Shall the conference report be adopted?

MESSAGE FROM THE SENATE

Austin, Texas, May 28, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has refused to concur in House Amendments to Senate Bill 479 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Moore, Shivers, Ramsey, Weinert and Fain.

Concurred in House Amendments to Senate Bill No. 70 by a viva voce vote.

Concurred in House Amendments to Senate Bill No. 414 by a viva voce vote,

Passed

S. B. No. 488, A bill to be entitled "An Act providing that any Water Improvement District heretofore organized under the provisions of Section 52 of Article 3 of the State Constitution which has heretofore been or which may hereafter be con-

verted into a water Control and Improvement District may be and become again converted into a Water Improvement District, setting out the number and method of such conversions, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

(Mr. Anderson in the Chair)

HOUSE BILL NO. 875 PASSED
NOTWITHSTANDING THE
VETO OF THE
GOVERNOR

Mr. Stanford moved to pass, at this time, House Bill No. 875, notwithstanding the veto of the Governor,

H. B. No. 875, A bill to be entitled "An Act to amend Article 5221-b, Vernon's Annotated Statutes of Texas, as amended, by adding a new section to be known as Section 8-A; defining certain additional terms; making provisions with reference to the authority of the Unemployment Compensation Commission to make reasonable rules and regulations regarding seasonal workers; and declaring an emergency."

The roll of the House was called and the vote announced, as follows: Yeas, 92; nays, 46.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called and the verified vote resulted, as follows:

Yeas—90

Allison	Connelly
Alsup	Crosthwait
Bean	Deen
Bell	Dickson of Nolan
Benton	Ellis
Brawner	Eubank
Bray	Evans
Bridgers	Favors
Bruhl	Files
Bullock	Fitzgerald
Bundy	Fuchs
Burnaman	Gandy
Carlton	Garland
Carrington	Gilmer
Cleveland	Halsey
Coker	Hardeman
Colson, Mrs.	Hargis

Harris of Dallas	Montgomery
Hartzog	Moore
Helpinstill	Morris
Henderson	Morse
Hileman	Pevehouse
Howard	Rampy
Howington	Reed of Bowie
Hughes	Reed of Dallas
Humphrey	Rhodes
Hutchinson	Roark
Isaacks	Roberts
Kelly	Senterfitt
Kinard	Sharpe
Klingeman	Shell
Lansberry	Skiles
Lehman	Spangler
Leyendecker	Stanford
Little	Stinson
Lock	Taylor
Lyle	Thornton
McAlister	Turner
McCann	Vale
McDonald	Voigt
McGlasson	Walters
McNamara	Wattner
Manning	Weatherford
Markle	Whitesides
Mills	Winfree

Nays—45

Avant	Kersey
Bailey	King
Baker	Knight
Blankenship	Love
Boone	Lowry
Burkett	Lucas
Chambers	McMurry
Clark	Martin
Craig	Matthews
Crossley	Morgan
Daniel	Murray
Davis	Pace
Dickson of Bexar	Parker
Dove	Price
Duckett	Ridgeway
Dwyer	Sallas
Ferguson	Simpson
Goodman	Smith of Bastrop
Hanna	Smith of Atascosa
Harris of Hill	Spacek
Hoyo	Stubbs
Huddleston	White
Jones	

Absent

Brown	Kennedy
Cato	McLellan
Celaya	Manford
Donald	Phillips
Hobbs	

Absent—Excused

Allen	Huffman
Heflin	Nicholson

The Chair announced that the motion to pass House Bill No. 875 notwithstanding the veto of the Governor prevailed.

SENATE BILL NO. 269 ON
SECOND READING

Mr. Roark moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time Senate Bill No. 269.

The motion prevailed.

The Chair then laid before the House, on its second reading and passage to third reading,

S. B. No. 269, A bill to be entitled "An Act amending Articles 3927 and 3928, Revised Civil Statutes of 1925; providing for disposition of such fees; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 269 ON
THIRD READING

Mr. Roark moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 269 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Allison	Carrington
Alsup	Clark
Avant	Cleveland
Bailey	Coker
Baker	Colson, Mrs.
Bean	Connelly
Bell	Crosthwait
Benton	Daniel
Blankenship	Deen
Boone	Dickson of Bexar
Bridgers	Duckett
Brown	Dwyer
Bruhl	Ellis
Bullock	Eubank
Bundy	Ferguson
Burkett	Fitzgerald
Burnaman	Fuchs
Carlton	Gandy

Gilmer	Markle
Halsey	Matthews
Hanna	Mills
Hardeman	Montgomery
Hargis	Moore
Harris of Dallas	Morgan
Harris of Hill	Morris
Helpinstill	Morse
Henderson	Murray
Hileman	Phillips
Hobbs	Price
Howard	Rampy
Hoyo	Reed of Bowie
Hughes	Reed of Dallas
Humphrey	Ridgeway
Hutchinson	Rhodes
Isaacks	Roark
Jones	Roberts
Kelly	Sallas
Kennedy	Senterfitt
Kinard	Simpson
Klingeman	Skiles
Knight	Smith of Bastrop
Lansberry	Smith of Atascosa
Leyendecker	Spacek
Little	Spangler
Lock	Stinson
Love	Stubbs
Lowry	Taylor
Lucas	Vale
McAlister	Walters
McDonald	Wattner
McGlasson	Weatherford
McMurry	White
McNamara	Whitesides
Manford	Winfree
Manning	

Nays—9

Bray	Kersey
Craig	King
Davis	Parker
Dickson of Nolan	Pevehouse
Howington	

Absent

Brawner	Huddleston
Cato	Lehman
Celaya	Lyle
Chambers	McCann
Crossley	McLellan
Donald	Martin
Dove	Pace
Evans	Sharpe
Favors	Shell
Files	Stanford
Garland	Thornton
Goodman	Turner
Hartzog	Voigt

Absent—Excused

Allen	Huffman
Heflin	Nicholson

The Chair then laid Senate Bill No. 269 before the House on third readnig and final passage.

The bill was read third time and was passed by the following vote:

Yeas—109

Allison	Kennedy
Alsup	Kinard
Avant	Klingeman
Bailey	Knight
Baker	Lansberry
Bean	Leyendecker
Bell	Little
Benton	Lock
Blankenship	Love
Boone	Lowry
Bridgers	Lucas
Brown	McAlister
Bruhl	McDonald
Bullock	McGlasson
Bundy	McMurry
Burkett	McNamara
Burnaman	Manford
Carlton	Manning
Carrington	Markle
Clark	Matthews
Cleveland	Mills
Coker	Montgomery
Colson, Mrs.	Moore
Connelly	Morgan
Crosthwait	Morris
Daniel	Morse
Deen	Murray
Dickson of Bexar	Phillips
Duckett	Price
Dwyer	Rampy
Ellis	Reed of Bowie
Eubank	Reed of Dallas
Ferguson	Ridgeway
Fitzgerald	Rhodes
Fuchs	Roark
Gandy	Roberts
Gilmer	Sallas
Halsey	Senterfitt
Hanna	Simpson
Hardeman	Skiles
Hargis	Smith of Bastrop
Harris of Dallas	Smith of Atascosa
Harris of Hill	Spacek
Helpinstill	Spangler
Henderson	Stinson
Hileman	Stubbs
Hobbs	Taylor
Howard	Vale
Hoyo	Walters
Hughes	Wattner
Humphrey	Weatherford
Hutchinson	White
Isaacks	Whitesides
Jones	Winfree
Kelly	

Nays—9

Bray	Kersey
Craig	King
Davis	Parker
Dickson of Nolan	Pevehouse
Howington	

Absent

Brawner	Huddleston
Cato	Lehman
Celaya	Lyle
Chambers	McCann
Crossley	McLellan
Donald	Martin
Dove	Pace
Evans	Sharpe
Favors	Shell
Files	Stanford
Garland	Thornton
Goodman	Turner
Hartzog	Voigt

Absent—Excused

Allen	Huffman
Heflin	Nicholson

(Speaker in the Chair.)

REQUEST OF SENATE GRANTED

On motion of Mr. Morse the House granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 479.

In accordance with the above action the Speaker announced the appointment of the following conference committee on Senate Bill No. 479:

Messrs: Morse, Winfree, Montgomery, Howard, and Heflin.

SENATE BILL NO. 477 ON
SECOND READING

Mr. Lock moved that the necessary rules be suspended for the purpose of taking up and considering, at this time Senate Bill No. 477.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 477, A bill to be entitled "An Act authorizing the County Judge to employ a stenographer or clerk in certain counties, etc.; and declaring an emergency."

The bill was read second time.

Mr. Harris of Hill offered the following amendment to the bill:

Amend Senate Bill No. 477 by inserting in addition to the population brackets shown in bill wherever they occur the following:

"and of not less than thirty-eight thousand four hundred (38,400) and not more than thirty-eight thousand five hundred (38,500) inhabitants."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 477 was then passed to third reading.

SENATE BILL NO. 477 ON THIRD
READING

Mr. Duckett moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 477 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

Allison	Crossley
Alsup	Daniel
Avant	Deen
Bailey	Dickson of Bexar
Baker	Dickson of Nolan
Bell	Dove
Benton	Duckett
Blankenship	Dwyer
Boone	Ellis
Bray	Eubank
Bridgers	Evans
Bruhl	Ferguson
Bullock	Files
Burkett	Fitzgerald
Burnaman	Fuchs
Carlton	Gandy
Carrington	Gilmer
Celaya	Halsey
Chambers	Hanna
Clark	Hardeman
Cleveland	Hargis
Coker	Harris of Dallas
Colson, Mrs.	Harris of Hill
Connelly	Hartzog
Craig	Helpinstill

Henderson	Moore
Hileman	Morgan
Hobbs	Morse
Howington	Murray
Hoyo	Pace
Huddleston	Parker
Hughes	Pevehouse
Humphrey	Phillips
Hutchinson	Price
Isaacks	Rampy
Jones	Reed of Bowie
Kelly	Reed of Dallas
Kennedy	Ridgeway
Kersey	Rhodes
Kinard	Roark
Klingeman	Roberts
Knight	Senterfitt
Lansberry	Sharpe
Leyendecker	Shell
Little	Simpson
Lock	Smith of Bastrop
Love	Smith of Atascosa
Lowry	Spacek
Lucas	Spangler
Lyle	Stanford
McAlister	Stubbs
McCann	Taylor
McDonald	Thornton
McGlasson	Turner
McNamara	Vale
Manford	Walters
Manning	Wattner
Martin	Weatherford
Matthews	White
Mills	Whitesides
Montgomery	Winfree

Nays—1

Davis

Absent

Anderson	Howard
Bean	King
Brawner	Lehman
Brown	McLellan
Bundy	McMurry
Cato	Markle
Crosthwait	Morris
Donald	Sallas
Favors	Skiles
Garland	Stinson
Goodman	Voigt

Absent—Excused

Allen	Huffman
Heflin	Nicholson

The Speaker then laid Senate Bill No. 477 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—123

Allison	Huddleston
Alsup	Hughes
Avant	Humphrey
Bailey	Hutchinson
Baker	Isaacks
Bell	Jones
Benton	Kelly
Blankenship	Kennedy
Boone	Kersey
Bray	Kinard
Bridgers	Klingeman
Bruhl	Knight
Bullock	Lansberry
Burkett	Leyendecker
Burnaman	Little
Carlton	Lock
Carrington	Love
Celaya	Lowry
Chambers	Lucas
Clark	Lyle
Cleveland	McAlister
Coker	McCann
Colson, Mrs.	McDonald
Connelly	McGlasson
Craig	McNamara
Crossley	Manford
Daniel	Manning
Deen	Martin
Dickson of Bexar	Matthews
Dickson of Nolan	Mills
Dove	Montgomery
Duckett	Moore
Dwyer	Morgan
Ellis	Morse
Eubank	Murray
Evans	Pace
Ferguson	Parker
Files	Pevehouse
Fitzgerald	Phillips
Fuchs	Price
Gandy	Rampy
Gilmer	Reed of Bowie
Halsey	Reed of Dallas
Hanna	Ridgeway
Hardeman	Rhodes
Hargis	Roark
Harris of Dallas	Roberts
Harris of Hill	Senterfitt
Hartzog	Sharpe
Helpinstill	Shell
Henderson	Simpson
Hileman	Smith of Bastrop
Hobbs	Smith of Atascosa
Howard	Spacek
Howington	Spangler
Hoyo	Stanford

Stubbs	Wattner
Taylor	Weatherford
Thornton	White
Turner	Whitesides
Vale	Winfree
Walters	

Nays—1

Davis

Absent

Anderson	Howard
Bean	King
Brawner	Lehman
Brown	McLellan
Bundy	McMurry
Cato	Markle
Crosthwait	Morris
Donald	Sallas
Favors	Skiles
Garland	Stinson
Goodman	Voigt

Absent—Excused

Allen	Huffman
Heflin	Nicholson

MESSAGE FROM THE SENATE

Austin, Texas, May 28, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has refused to concur in House amendments to Senate Bill 471 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Lanning, Formby, Isbell, Lemens, Lovelady.

The Senate has adopted the Conference Committee report on Senate Bill No. 402 by viva voce vote.

Adopted Conference Committee report on House Bill No. 360 by the following vote: Yeas, 29; nays, 0.

Conference Report attached.

Respectfully,

BOB BARKER,

Secretary of the Senate.

REQUEST OF SENATE GRANTED

On motion of Mr. Lehman, the House granted the request of the

Senate for the appointment of a Conference Committee on Senate Bill No. 471.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on Senate Bill No. 471:

Messrs. Lehman, Turner, Stanford, McGlasson and Mrs. Colson.

AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 922

Mr. Eubank offered the following resolution:

H. C. R. No. 185, Authorizing Certain Correction in House Bill No. 922.

Whereas, House Bill No. 922 has passed the House and Senate; and

Whereas, Said House Bill was amended in the Senate and the caption does not conform to the body of the bill; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be authorized to correct the caption of House Bill No. 922 to conform with the body of the said bill.

The resolution was read second time and was adopted.

SENATE BILL NO. 119 ON SECOND READING

Mr. Lock moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time, Senate Bill No. 191.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 119, A bill to be entitled "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended by Acts 1927, 40th Legislature, First Called Session, page 104, Chapter 35, Section 1, etc.; and declaring an emergency."

The bill was read second time.

Mr. Crosthwait offered the following committee amendment to the bill:

Amend Senate Bill No. 119 by striking out all of the last sentence appearing at the end of Section 1.

The committee amendment was adopted.

Mr. Hutchinson offered the following amendment to the bill:

Amend Senate Bill No. 119 by striking out all between the words "not less than" and "such salary" in Section 2 thereof and inserting in lieu thereof the following:

"One Hundred Fifty (\$150.00) Dollars for each Million Dollars, or major portion thereof, on the assessed valuation according to the last approved tax roll of the county";

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 119 was then passed to third reading.

SENATE BILL NO. 119 ON THIRD READING

Mr. Stanford moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 119 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Allison	Colson, Mrs.
Avant	Connelly
Bailey	Craig
Baker	Crossley
Bean	Crothwait
Bell	Daniel
Blankenship	Deen
Boone	Dickson of Bexar
Bray	Dickson of Nolan
Bruhl	Donald
Bullock	Duckett
Bundy	Ellis
Carlton	Eubank
Carrington	Evans
Clark	Favors
Cleveland	Ferguson
Coker	Files

Fitzgerald
Fuchs
Gandy
Garland
Gilmer
Halsey
Hargis
Harris of Dallas
Hartzog
Henderson
Hobbs
Hoyo
Hughes
Humphrey
Hutchinson
Jones
Kennedy
Kersey
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lowry
Lyle
McAlister
McDonald
McGlasson
McMurry
McNamara
Manning
Markle
Martin
Matthews

Mills
Montgomery
Moore
Morgan
Morris
Morse
Pace
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roberts
Sallas
Senterfitt
Sharpe
Shell
Simpson
Smith of Bastrop
Smith of Atascosa
Spangler
Stanford
Stinson
Taylor
Thornton
Turner
Vale
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Nays—18

Benton	Hileman
Burkett	Howington
Burnaman	Huddleston
Chambers	Kinard
Davis	King
Dove	Lucas
Hanna	Manford
Harris of Hill	Parker
Helpinstill	Spacek

Absent

Alsup	Isaacks
Anderson	Kelly
Brawner	Klingeman
Bridgers	McCann
Brown	McLellan
Cato	Murray
Celaya	Roark
Dwyer	Skiles
Goodman	Stubbs
Hardeman	Voigt
Howard	

Absent—Excused

Allen	Huffman
Heflin	Nicholson

The Speaker then laid Senate Bill No. 119 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—107

Allison	Hughes
Avant	Humphrey
Bailey	Hutchinson
Baker	Jones
Bean	Kennedy
Bell	Kersey
Blankenship	Klingeman
Boone	Knight
Bray	Lansberry
Bruhl	Lehman
Bullock	Leyendecker
Bundy	Little
Burkett	Lock
Carlton	Love
Carrington	Lowry
Celaya	Lyle
Clark	McCann
Cleveland	McDonald
Coker	McGlasson
Colson, Mrs.	McMurry
Connelly	McNamara
Craig	Manning
Crossley	Markle
Daniel	Martin
Deen	Matthews
Dickson of Bexar	Mills
Dickson of Nolan	Moore
Donald	Morgan
Duckett	Morris
Ellis	Morse
Eubank	Murray
Evans	Pace
Favors	Pevehouse
Ferguson	Phillips
Files	Price
Fuchs	Reed of Bowie
Gandy	Reed of Dallas
Garland	Ridgeway
Gilmer	Rhodes
Goodman	Roberts
Halsey	Sallas
Hargis	Senterfitt
Harris of Dallas	Sharpe
Hartzog	Shell
Henderson	Simpson
Hobbs	Smith of Bastrop
Howard	Smith of Atascosa
Hoyo	Spangler

Stanford
Stinson
Taylor
Turner
Vale
Walters

Wattner
Weatherford
White
Whitesides
Winfree

Nays—21

Benton	Howington
Bridgers	Huddleston
Burnaman	Isaacks
Chambers	Kinard
Davis	King
Dove	Lucas
Fitzgerald	Manford
Hanna	Parker
Harris of Hill	Rampy
Helpinstill	Spacek
Hileman	

Absent

Alsup	McAlister
Anderson	McLellan
Brawner	Montgomery
Brown	Roark
Cato	Skiles
Crosthwait	Stubbs
Dwyer	Thornton
Hardeman	Voigt
Kelly	

Absent—Excused

Allen	Huffman
Heflin	Nicholson

Mr. Stanford moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

ADOPTION OF CONFERENCE
COMMITTEE REPORT ON
SENATE BILL NO. 479

Mr. Morse submitted the following Conference Committee Report on Senate Bill No. 479:

Austin, Texas, May 28, 1941.

Hon. Coke R. Stevenson, President of the Senate;

Hon. Homer L. Leonard, Speaker of the House.

Sirs: We, your Conference Committee appointed to adjust the differences between the Senate and the House on Senate Bill No. 479, have met and beg leave to recommend that

said Senate Bill No. 479 be passed in the form hereto attached.

Respectfully submitted,
MORSE,
HOWARD,
WINFREE,

On the part of the House.

MOORE,
WEINERT,
FAIN,
RAMSEY,
SHIVERS,

On the part of the Senate.

S. B. No. 479,

A BILL

To Be Entitled

An Act authorizing eligible cities as defined herein to issue refunding revenue bonds to take up outstanding revenue bonds issued for the purpose of constructing Exposition and Convention Halls or Coliseums; prescribing the method of issuing and securing such bonds; prescribing the duties of cities and of the officials of cities issuing such refunding bonds; requiring the approval and prescribing the effect of approval of such bonds by the Attorney General; providing for the registration and delivery of such bonds; enacting other provisions relating to the subject and relating to the issuance and security of such bonds; making this Act cumulative of other laws general or special, but providing that it shall take precedence over other laws or charter provisions in conflict or inconsistent herewith, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. This Act shall be applicable to any city of over 100,000 population according to the last preceding Federal Census, which owns and operates an Exposition and Convention Hall or Coliseum against which there are outstanding revenue bonds issued for the construction thereof, and which owns and operates an unencumbered natural gas distribution system which serves the inhabitants of all or a part of such city. Any such city, for the purposes

of this Act, shall be an "eligible" city.

Any eligible city is authorized, without an election and without notice of intention to issue such bonds, to issue refunding bonds for the purpose of taking up and in lieu of its outstanding revenue bonds issued for the purpose of financing the construction of its Exposition and Convention Hall or Coliseum, and may secure said refunding bonds by a pledge of the net revenues from the operation of such Exposition and Convention Hall or Coliseum, and by the net revenues from the operation of its natural gas distribution system; provided that the revenues from its natural gas distribution system shall not be pledged as security for such refunding bonds unless such refunding bonds are issued to bear an interest rate lower than the rate borne by said outstanding revenue bonds.

Sec. 2. The bonds issued under this Act shall mature serially within a period of time not exceeding thirty (30) years from their date. The governing body of such city shall prescribe the interest rates, maturities and any options of redemption prior to maturity of such bonds. Such bonds which constitute special obligations of the issuing city, shall never be considered indebtedness of such city or town, but solely a charge upon the revenues pledged for the payment of such bonds, and shall never be reckoned in determining the power of such city to issue tax supported bonds for any purpose authorized by law.

Sec. 3. Whenever the income of such Exposition and Convention Hall or Coliseum and of such natural gas distribution system shall be encumbered as authorized in this Act it shall be the duty of the city to establish and maintain separate books and accounts for each of the properties whose income shall have been pledged. The total revenues remaining after providing for payment of reasonable operating, maintenance, depreciation, replacement, improvement, necessary expansion and repair charges, resulting from the operation of the encumbered Exposition and Convention Hall or Coli-

seum shall constitute "net revenues." The total revenues remaining after providing for payment of reasonable operating, maintenance, depreciation, replacement, improvement, necessary expansion and repair charges, resulting from the operation of the encumbered natural gas distribution system shall constitute "net revenues." The ordinance authorizing such revenue bonds shall prescribe the conditions under which such revenues may be used to pay depreciation, replacement, improvement and necessary expansion charges. It shall be the duty of any city issuing bonds under the provision of this Act to fix and maintain rates, rentals, and charges in the instance of each such encumbered property to assure receipt of income sufficient to pay reasonable operating, maintenance, improvement, necessary expansion and repair charges in connection with the proper operation of such property and to assure net revenues from the property or properties encumbered sufficient to pay the principal and interest of such bonds according to their tenor and effect, and to establish and maintain a reasonable reserve in the interest and sinking fund to be provided for such bonds. The requirement for a "reasonable reserve" shall be satisfied by establishing and maintaining in the interest and sinking fund, in addition to requirements for a given calendar year, money sufficient to pay the principal and interest scheduled to mature and accrue during the succeeding calendar year. After such reserve account shall have been established and so long as it shall remain intact and while there are no delinquencies of principal or interest on any of the outstanding bonds, such city may use the pledged revenues in excess of such requirements for any other lawful purpose. The pledging of the revenues as authorized herein shall not constitute a lien on the physical properties of the Exposition and Convention Hall or Coliseum or of the Natural Gas Distribution System.

Sec. 4. Every contract and bond, or other evidence of indebtedness, issued pursuant to this Act shall contain substantially the following clause: "The holder hereof shall

never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation." It shall be the duty of the officials of any such city to file with the Attorney General of the State of Texas a proper transcript of proceedings authorizing the issuance of such refunding bonds and evidencing the pledge of revenues from which the principal and interest of said bonds are to be paid, and to deliver to the Attorney General the executed refunding bonds. It shall be the duty of the Attorney General to approve such record and said bonds when issued in accordance with this law.

Sec. 5. After said bonds have been examined and approved by the Attorney General they shall be registered by the Comptroller and delivered in exchange for a like principal amount of said original revenue bonds. After receiving the approval by the Attorney General and having been registered in the office of the Comptroller of Public Accounts, said bonds shall be held in every action, suit or proceeding in which their validity is or may be brought into question, valid and binding obligations. In every action brought to enforce collection of such bonds the certificate of approval by the Attorney General or a duly certified copy thereof shall be received in evidence of the validity of such bonds. The only defense which can be offered against the validity of such bonds shall be forgery or fraud.

Sec. 6. This law shall be cumulative of all other laws on the subject. In the event that any provisions of this Act conflict with or are inconsistent with the provisions of any other law, general or special, or with the provisions of the charter of any such eligible city, the provisions of this Act shall take precedence over any such conflicting or inconsistent provisions.

Sec. 7. The fact that eligible cities can effect a considerable saving in interest through the refunding permitted by this Act, and the near approach of the close of the legislative session create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read in both Houses on three separate days be suspend-

ed and said Rule is hereby suspended, and that this Act be effective from and after its passage, and it is so enacted.

On motion of Mr. Morse, the report was adopted by the following vote:

Yeas—119

Avant	Hobbs
Bailey	Howard
Baker	Howington
Bean	Hoyo
Bell	Huddleston
Benton	Hughes
Blankenship	Humphrey
Boone	Isaacks
Bray	Jones
Bridgers	Kelly
Bruhl	Kennedy
Bullock	Kersey
Bundy	Kinard
Burkett	Klingeman
Burnaman	Knight
Carrington	Lehman
Celaya	Leyendecker
Clark	Little
Cleveland	Lock
Coker	Lowry
Colson, Mrs.	Lucas
Connelly	Lyle
Craig	McAlister
Crossley	McCann
Daniel	McDonald
Dickson of Bexar	McGlasson
Dickson of Nolan	McMurry
Donald	McNamara
Dove	Manning
Duckett	Markle
Ellis	Martin
Eubank	Matthews
Evans	Mills
Favors	Moore
Ferguson	Morgan
Files	Morris
Fitzgerald	Morse
Fuchs	Pace
Gandy	Parker
Garland	Pevehouse
Gilmer	Phillips
Goodman	Price
Halsey	Rampy
Hanna	Reed of Bowie
Hardeman	Reed of Dallas
Hargis	Ridgeway
Harris of Dallas	Rhodes
Harris of Hill	Roberts
Hartzog	Senterfitt
Helpinstill	Sharpe
Henderson	Shell

Simpson	Turner
Skiles	Vale
Smith of Bastrop	Walters
Smith of Atascosa	Wattner
Spacek	Weatherford
Spangler	White
Stinson	Whitesides
Taylor	Winfree
Thornton	

Nays—3

Davis	Murray
Love	

Absent

Allison	Hutchinson
Alsup	King
Anderson	Lansberry
Brawner	McLellan
Brown	Manford
Carlton	Montgomery
Cato	Roark
Chambers	Sallas
Crosthwait	Stanford
Deen	Stubbs
Dwyer	Voigt
Hileman	

Absent—Excused

Allen	Huffman
Heflin	Nicholson

Mr. Morse moved to reconsider the vote by which the report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 360

Mr. Halsey submitted the following Conference Committee report on House Bill No. 360:

Austin, Texas, May 20, 1941.

Hon. Coke R. Stevenson, President of the Senate;

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Dear Mr. Speaker and Mr. President: We, your Conference Committee appointed to adjust the difference between the two Houses on House Bill No. 360, have met and beg leave to recommend that said

House Bill No. 360 be passed in the form hereto attached.

Respectfully submitted,

HALSEY,
LITTLE,
BURKETT,
CRAIG,
FAVORS,

On the part of the House.

HAZLEWOOD,
FORMBY,
WINFIELD,
MARTIN,
METCALFE,

On the part of the Senate.

By Mr. Burkett:

H. B. No. 360,

A BILL

To Be Entitled

An Act authorizing the Commissioners Court in each County in this State having a population of not less than ten thousand, three hundred and twenty-five (10,325) nor more than ten thousand, three hundred and fifty (10,350) and nineteen thousand and twenty-five (19,025) nor more than nineteen thousand and seventy (19,070) and twenty-three thousand nine hundred (23,900) nor more than twenty-three thousand nine hundred and fifty (23,950) according to the last preceding Federal Census to allow each County Commissioner certain expense for traveling and in connection with the use of his automobile on official business only; requiring each such Commissioner to pay the expenses of operation and repair of such vehicle so used without any further expense whatsoever to the County; and declaring an emergency.

Section 1. In any county in this State containing a population of not less than ten thousand three hundred twenty-five (10,325) nor more than ten thousand three hundred fifty (10,350), and nineteen thousand twenty-five (19,025) nor more than nineteen thousand seventy (19,070), and twenty-three thousand nine hundred (23,900) nor more than twenty-three thousand nine hundred fifty (23,950), according to the last preceding Federal Census, the Commissioners Court is hereby

authorized to allow each Commissioner not more than the sum of Thirty-five (\$35.00) per month to be paid out of the Road and Bridge Fund of each respective Commissioner's Precinct, for traveling expenses and depreciation on the automobile while used on official business only and/or in overseeing the construction and maintenance of the public roads of said counties. Each such Commissioner shall pay all expenses in the operation of such automobile and keep same in repair at his own expense, free of any other charge whatsoever to the county; provided, however, that such expenses not to exceed Thirty-five Dollars (\$35.00) per month must be itemized, sworn to and filed for record with the County Clerk.

Sec. 2. The fact that in the counties affected by this Act there is great need that the counties participate in defraying the expense of such Commissioners because the great amount of road work now going on increases the necessity of such Commissioner traveling from place to place overseeing the construction and maintenance of such roads creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Halsey, the report was adopted by the following vote:

Yeas—126

Allison	Carlton
Alsup	Carrington
Avant	Celaya
Bailey	Chambers
Baker	Clark
Bean	Coker
Bell	Colson, Mrs.
Benton	Connelly
Blankenship	Craig
Boone	Crossley
Bray	Crosthwait
Bridgers	Daniel
Bruhl	Dickson of Bexar
Bullock	Dickson of Nolan
Bundy	Donald
Burkett	Dove
Burnaman	Duckett

Ellis	McNamara
Eubank	Manford
Evans	Manning
Favors	Markle
Ferguson	Martin
Fitzgerald	Matthews
Fuchs	Mills
Gandy	Moore
Garland	Morgan
Goodman	Morris
Halsey	Morse
Hanna	Murray
Hardeman	Pace
Hargis	Parker
Harris of Dallas	Pevehouse
Harris of Hill	Phillips
Hartzog	Price
Helpinstill	Rampy
Henderson	Reed of Bowle
Hileman	Reed of Dallas
Hobbs	Ridgeway
Howard	Rhodes
Howington	Roark
Hoyo	Roberts
Hughes	Sallas
Humphrey	Senterfitt
Hutchinson	Sharpe
Isaacks	Shell
Jones	Simpson
Kelly	Skiles
Kennedy	Smith of Bastrop
Klingeman	Smith of Atascosa
Knight	Spacek
Lansberry	Spangler
Lehman	Stanford
Leyendecker	Stinson
Little	Taylor
Lock	Thornton
Love	Turner
Lowry	Vale
Lucas	Walters
Lyle	Wattner
McCann	Weatherford
McDonald	White
McGlasson	Whitesides
McMurry	Winfree

Nays—4

Davis	Kinard
Kersey	Voigt

Absent

Anderson	Gilmer
Brawner	Huddleston
Brown	King
Cato	McAlister
Cleveland	McLellan
Deen	Montgomery
Dwyer	Stubbs
Files	

Absent—Excused

Allen	Huffman
Heflin	Nicholson

SENATE BILL NO. 323 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 323, A bill to be entitled "An Act amending Section 2 of Chapter 148, of the General Laws passed by the Forty-second Legislature in its Regular Session in 1931, as amended by Section 2, of Chapter 15, of the General Laws passed by the Forty-fourth Legislature in its Regular Session in 1935; so as to authorize the issuance of bonds by any city and/or county for the purchase and/or improvement of lands for park purposes; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 323 ON THIRD READING

Mr. Gilmer moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 323 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—129

Allison	Chambers
Alsup	Clark
Avant	Cleveland
Bailey	Coker
Baker	Colson, Mrs.
Bell	Connelly
Benton	Craig
Blankenship	Crossley
Boone	Crosthwait
Bray	Daniel
Bridgers	Deen
Bruhl	Dickson of Bexar
Bullock	Dickson of Nolan
Bundy	Donald
Burnaman	Dove
Carlton	Duckett
Carrington	Ellis
Celaya	Eubank

Evans	McNamara
Favors	Manning
Ferguson	Markle
Files	Martin
Fitzgerald	Matthews
Fuchs	Mills
Gandy	Montgomery
Garland	Moore
Gilmer	Morgan
Goodman	Morris
Halsey	Morse
Hanna	Murray
Hardeman	Pace
Hargis	Parker
Harris of Dallas	Pevehouse
Harris of Hill	Phillips
Hartzog	Price
Helpinstill	Rampy
Henderson	Reed of Bowie
Hileman	Reed of Dallas
Howard	Ridgeway
Howington	Rhodes
Hoyo	Roark
Huddleston	Roberts
Hughes	Sallas
Humphrey	Senterfitt
Hutchinson	Sharpe
Jones	Shell
Kelly	Simpson
Kennedy	Skiles
Kersey	Smith of Bastrop
Kinard	Smith of Atascosa
Klingeman	Spacek
Knight	Spangler
Lansberry	Stanford
Lehman	Stinson
Leyendecker	Taylor
Little	Thornton
Lock	Turner
Love	Vale
Lowry	Voigt
Lucas	Walters
Lyle	Weatherford
McAlister	White
McCann	Whitesides
McGlasson	Winfree
McMurry	

Nays—1

Davis

Absent

Anderson	Isaacks
Bean	King
Brawner	McDonald
Brown	McLellan
Burkett	Manford
Cato	Stubbs
Dwyer	Wattner
Hobbs	

Absent—Excused

Allen	Huffman
Heflin	Nicholson

The Speaker then laid Senate Bill No. 323 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—129

Allison	Hardeman
Alsup	Hargis
Avant	Harris of Dallas
Bailey	Harris of Hill
Baker	Hartzog
Bell	Helpinstill
Benton	Henderson
Blankenship	Hileman
Boone	Howard
Bray	Howington
Bridgers	Hoyo
Bruhl	Huddleston
Bullock	Hughes
Bundy	Humphrey
Burnaman	Hutchinson
Carlton	Jones
Carrington	Kelly
Celaya	Kennedy
Chambers	Kersey
Clark	Kinard
Cleveland	Klingeman
Coker	Knight
Colson, Mrs.	Lansberry
Connelly	Lehman
Craig	Leyendecker
Crossley	Little
Crothwait	Lock
Daniel	Love
Deen	Lowry
Dickson of Bexar	Lucas
Dickson of Nolan	Lyle
Donald	McAlister
Dove	McCann
Duckett	McGlasson
Ellis	McMurry
Eubank	McNamara
Evans	Manning
Favors	Markle
Ferguson	Martin
Files	Matthews
Fitzgerald	Mills
Fuchs	Montgomery
Gandy	Moore
Garland	Morgan
Gilmer	Morris
Goodman	Morse
Halsey	Murray
Hanna	Pace

Parker	Smith of Bastrop
Pevehouse	Smith of Atascosa
Phillips	Spacek
Price	Spangler
Rampy	Stanford
Reed of Bowie	Stinson
Reed of Dallas	Taylor
Ridgeway	Thornton
Rhodes	Turner
Roark	Vale
Roberts	Voigt
Sallas	Walters
Senterfitt	Weatherford
Sharpe	White
Shell	Whitesides
Simpson	Winfree
Skiles	

Nays—1

Davis

Absent

Anderson	Isaacks
Bean	King
Brawner	McDonald
Brown	McLellan
Burkett	Manford
Cato	Stubbs
Dwyer	Wattner
Hobbs	

Absent—Excused

Allen	Huffman
Heflin	Nicholson

SENATE BILL NO. 187 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 187, A bill to be entitled "An Act to facilitate the cooperation of this State with other units of government, determining the membership of the Board, and establishing the Texas Commission on Interstate Cooperation, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 187 ON THIRD READING

Mr. Kersey moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 187

be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—130

Allison	Howard
Alsup	Howington
Avant	Hoyo
Bailey	Huddleston
Baker	Hughes
Bean	Humphrey
Bell	Hutchinson
Benton	Isaacks
Blankenship	Jones
Boone	Kelly
Bridgers	Kennedy
Bruhl	Kersey
Bullock	Klingeman
Bundy	Knight
Burnaman	Lansberry
Carlton	Lehman
Carrington	Leyendecker
Celaya	Little
Chambers	Lock
Cleveland	Love
Coker	Lowry
Colson, Mrs.	Lucas
Connelly	Lyle
Craig	McAlister
Crossley	McCann
Crosthwait	McDonald
Daniel	McGlasson
Deen	McMurry
Dickson of Bexar	McNamara
Dickson of Nolan	Manford
Donald	Manning
Dove	Markle
Duckett	Martin
Ellis	Matthews
Eubank	Montgomery
Evans	Moore
Ferguson	Morgan
Files	Morris
Fitzgerald	Morse
Fuchs	Murray
Gandy	Pace
Garland	Parker
Gilmer	Pevehouse
Goodman	Phillips
Halsey	Price
Hanna	Rampy
Hardeman	Reed of Bowie
Hargis	Reed of Dallas
Harris of Dallas	Ridgeway
Harris of Hill	Rhodes
Hartzog	Roark
Helpinstill	Roberts
Henderson	Sallas
Hileman	Senterfitt
Hobbs	Sharpe

Shell	Thornton
Simpson	Turner
Skiles	Vale
Smith of Bastrop	Voigt
Smith of Atascosa	Walters
Spacek	Wattner
Spangler	Weatherford
Stanford	White
Stinson	Whitesides
Taylor	Winfree

Nays—5

Bray	King
Burkett	Mills
Davis	

Absent

Anderson	Dwyer
Brawner	Favors
Brown	Kinard
Cato	McLellan
Clark	Stubbs

Absent—Excused

Allen	Huffman
Heflin	Nicholson

The Speaker then laid Senate Bill No. 187 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—131

Allison	Crothwait
Alsop	Daniel
Avant	Deen
Bailey	Dickson of Bexar
Baker	Dickson of Nolan
Bean	Donald
Bell	Dove
Benton	Duckett
Blankenship	Ellis
Boone	Eubank
Bridgers	Evans
Bruhl	Ferguson
Bullock	Files
Bundy	Fitzgerald
Burnaman	Fuchs
Carlton	Gandy
Carrington	Garland
Celaya	Gilmer
Chambers	Goodman
Clark	Halsey
Cleveland	Hanna
Coker	Hardeman
Colson, Mrs.	Hargis
Connelly	Harris of Dallas
Craig	Harris of Hill
Crossley	Hartzog

Helpinstill	Morgan
Henderson	Morris
Hileman	Morse
Hobbs	Murray
Howard	Pace
Howington	Parker
Hoyo	Pevehouse
Huddleston	Phillips
Hughes	Price
Humphrey	Rampy
Hutchinson	Reed of Bowie
Isaacks	Reed of Dallas
Jones	Ridgeway
Kelly	Rhodes
Kennedy	Roark
Kersey	Roberts
Klingeman	Sallas
Knight	Senterfitt
Lansberry	Sharpe
Lehman	Shell
Leyendecker	Simpson
Little	Skiles
Lock	Smith of Bastrop
Love	Smith of Atascosa
Lowry	Spacek
Lucas	Spangler
Lyle	Stanford
McAlister	Stinson
McCann	Taylor
McDonald	Thornton
McGlasson	Turner
McMurry	Vale
McNamara	Voigt
Manford	Walters
Manning	Wattner
Markle	Weatherford
Martin	White
Matthews	Whitesides
Montgomery	Winfree
Moore	

Nays—5

Bray	King
Burkett	Mills
Davis	

Absent

Anderson	Favors
Brawner	Kinard
Brown	McLellan
Cato	Stubbs
Dwyer	

Absent—Excused

Allen	Huffman
Heflin	Nicholson

HOUSE BILL NO. 1060 ON SECOND READING

(By unanimous consent)

The Speaker laid before the

House, on its second reading and passage to engrossment,

H. B. No. 1060, A bill to be entitled, "An Act Creating Road District No. 6 of Tyler County, Texas, under authority of Article 3, Section 52, of the Constitution of Texas, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes or in aid thereof; making it a body corporate and taxing district; describing said district by metes and bounds; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1060 ON THIRD READING

Mr. Lock moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1060 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—132

Allison	Deen
Alsup	Dickson of Bexar
Avant	Dickson of Nolan
Bailey	Donald
Baker	Duckett
Bean	Ellis
Bell	Kubank
Benton	Evans
Blankenship	Favors
Boone	Ferguson
Bray	Files
Bridgers	Fitzgerald
Bruhl	Fuchs
Bullock	Gandy
Bundy	Garland
Burkett	Gilmer
Burnaman	Goodman
Carlton	Halsey
Carrington	Hanna
Celaya	Hardeman
Chambers	Hargis
Clark	Harris of Dallas
Cleveland	Harris of Hill
Coker	Hartzog
Colson, Mrs.	Helpinstill
Connelly	Henderson
Craig	Hileman
Crossley	Hobbs
Crosthwait	Howard
Daniel	Howington

Hoyo	Morris
Huddleston	Morse
Hughes	Murray
Humphrey	Pace
Hutchinson	Parker
Isaacks	Pevehouse
Jones	Price
Kelly	Rampy
Kennedy	Reed of Bowie
Kersey	Reed of Dallas
Klingeman	Ridgeway
Knight	Rhodes
Lansberry	Roark
Lehman	Roberts
Leyendecker	Sallas
Little	Senterfitt
Lock	Sharpe
Love	Shell
Lowry	Simpson
Lucas	Skiles
Lyle	Smith of Bastrop
McAlister	Smith of Atascosa
McCann	Spacek
McDonald	Spangler
McGlasson	Stanford
McMurry	Stinson
McNamara	Taylor
Manford	Thornton
Manning	Turner
Markle	Vale
Martin	Walters
Matthews	Wattner
Mills	Weatherford
Montgomery	White
Moore	Whitesides
Morgan	Winfree

Nays—1

Davis

Absent

Anderson	Kinard
Brawner	King
Brown	McLellan
Cato	Phillips
Dove	Stubbs
Dwyer	Voigt

Absent—Excused

Allen	Huffman
Heflin	Nicholson

The Speaker then laid House Bill No. 1060 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—132

Allison	Avant
Alsup	Bailey

Baker	Jones
Bean	Kelly
Bell	Kennedy
Benton	Kersey
Blankenship	Klingeman
Boone	Knight
Bray	Lansberry
Bridgers	Lehman
Bruhl	Leyendecker
Bullock	Little
Bundy	Lock
Burkett	Love
Burnaman	Lowry
Carlton	Lucas
Carrington	Lyle
Celaya	McAlister
Chambers	McCann
Clark	McDonald
Cleveland	McGlasson
Coker	McMurry
Colson, Mrs.	McNamara
Connelly	Manford
Craig	Manning
Crossley	Markle
Crosthwait	Martin
Daniel	Matthews
Deen	Mills
Dickson of Bexar	Montgomery
Dickson of Nolan	Moore
Donald	Morgan
Duckett	Morris
Ellis	Morse
Eubank	Murray
Evans	Pace
Favors	Parker
Ferguson	Pevehouse
Files	Price
Fitzgerald	Rampy
Fuchs	Reed of Bowie
Gandy	Reed of Dallas
Garland	Ridgeway
Gilmer	Rhodes
Goodman	Roark
Halsey	Roberts
Hanna	Sallas
Hardeman	Senterfitt
Hargis	Sharpe
Harris of Dallas	Shell
Harris of Hill	Simpson
Hartzog	Skiles
Helpinstill	Smith of Bastrop
Henderson	Smith of Atascosa
Hileman	Spacek
Hobbs	Spangler
Howard	Stanford
Howington	Stinson
Hoyo	Taylor
Huddleston	Thornton
Hughes	Turner
Humphrey	Vale
Hutchinson	Walters
Isaacks	Wattner

Weatherford	Whitesides
White	Winfree

Nays—1

Davis

Absent

Anderson	Kinard
Brawner	King
Brown	McLellan
Cato	Phillips
Dove	Stubbs
Dwyer	Voigt

Absent—Excused

Allen	Huffman
Heflin	Nicholson

SENATE BILL NO. 482 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 482, A bill to be entitled "An Act authorizing Commissioners' Courts in certain counties to formulate a general personnel system and rules and regulations covering hours of work; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 482 ON THIRD READING

Mr. Morse moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 482 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—129

Allison	Bruhl
Alsup	Bullock
Avant	Burkett
Bailey	Burnaman
Baker	Carlton
Bell	Carrington
Benton	Chambers
Blankenship	Clark
Boone	Cleveland
Bray	Coker
Bridgers	Colson, Mrs.

Connelly	Lucas
Craig	Lyle
Crossley	McAlister
Crosthwait	McCann
Daniel	McDonald
Deen	McGlasson
Dickson of Bexar	McMurry
Dickson of Nolan	McNamara
Donald	Manford
Dove	Manning
Duckett	Markle
Ellis	Martin
Eubank	Matthews
Evans	Mills
Favors	Montgomery
Ferguson	Moore
Files	Morris
Fitzgerald	Morse
Fuchs	Murray
Gandy	Pace
Garland	Parker
Gilmer	Pevehouse
Goodman	Phillips
Halsey	Price
Hanna	Rampy
Hardeman	Reed of Bowie
Hargis	Reed of Dallas
Harris of Dallas	Ridgeway
Harris of Hill	Rhodes
Helpinstill	Roark
Henderson	Roberts
Hileman	Sallas
Hobbs	Senterfitt
Howard	Sharpe
Howington	Shell
Hoyo	Simpson
Huddleston	Skiles
Hughes	Smith of Bastrop
Humphrey	Smith of Atascosa
Hutchinson	Spacek
Jones	Spangler
Kelly	Stanford
Kennedy	Stinson
Kersey	Taylor
Kinard	Thornton
Klingeman	Turner
Knight	Vale
Lansberry	Walters
Lehman	Wattner
Leyendecker	Weatherford
Little	White
Lock	Whitesides
Love	Winfree
Lowry	

Nays—1

Davis

Absent

Anderson	Brown
Bean	Bundy
Brawner	Cato

Celaya	McLellan
Dwyer	Morgan
Hartzog	Stubbs
Isaacks	Voigt
King	

Absent—Excused

Allen	Huffman
Heflin	Nicholson

The Speaker then laid Senate Bill No. 482 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—129

Allison	Goodman
Alsup	Halsey
Avant	Hanna
Bailey	Hardeman
Baker	Hargis
Bell	Harris of Dallas
Benton	Harris of Hill
Blankenship	Helpinstill
Boone	Henderson
Bray	Hileman
Bridgers	Hobbs
Bruhl	Howard
Bullock	Howington
Burkett	Hoyo
Burnaman	Huddleston
Carlton	Hughes
Carrington	Humphrey
Chambers	Hutchinson
Clark	Jones
Cleveland	Kelly
Coker	Kennedy
Colson, Mrs.	Kersey
Connelly	Kinard
Craig	Klingeman
Crossley	Knight
Crosthwait	Lansberry
Daniel	Lehman
Deen	Leyendecker
Dickson of Bexar	Little
Dickson of Nolan	Lock
Donald	Love
Dove	Lowry
Duckett	Lucas
Ellis	Lyle
Eubank	McAlister
Evans	McCann
Favors	McDonald
Ferguson	McGlasson
Files	McMurry
Fitzgerald	McNamara
Fuchs	Manford
Gandy	Manning
Garland	Markle
Gilmer	Martin

Matthews	Sharpe
Mills	Shell
Montgomery	Simpson
Moore	Skiles
Morris	Smith of Bastrop
Morse	Smith of Atascosa
Murray	Spacek
Pace	Spangler
Parker	Stanford
Pevehouse	Stinson
Phillips	Taylor
Price	Thornton
Rampy	Turner
Reed of Bowie	Vale
Reed of Dallas	Walters
Ridgeway	Wattner
Rhodes	Weatherford
Roark	White
Roberts	Whitesides
Sallas	Winfree
Senterfitt	

Nays—1

Davis

Absent

Anderson	Hartzog
Bean	Isaacks
Brawner	King
Brown	McLellan
Bundy	Morgan
Cato	Stubbs
Celaya	Voigt
Dwyer	

Absent—Excused

Allen	Huffman
Heflin	Nicholson

(Mr. Kersey in the Chair.)

SENATE BILL NO. 276 ON
SECOND READING

(By unanimous consent)

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 276, A bill to be entitled "An Act granting permission to Thomas H. Fort to file and prosecute suit against the State of Texas and the State Highway Commission to ascertain and fix the amount, if any, due said Thomas H. Fort for damages alleged to have been sustained by reason of the construction, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 276 ON
THIRD READING

Mr. McAlister moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 276 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Allison	Hartzog
Alsup	Helpinstill
Avant	Henderson
Bailey	Hileman
Baker	Hobbs
Bean	Howard
Bell	Howington
Benton	Hoyo
Blankenship	Huddleston
Boone	Hughes
Bray	Humphrey
Brown	Hutchinson
Bruhl	Isaacks
Bullock	Jones
Burkett	Kelly
Burnaman	Kennedy
Carlton	Kinard
Carrington	Klingeman
Celaya	Knight
Chambers	Lansberry
Clark	Lehman
Cleveland	Leyendecker
Coker	Little
Colson, Mrs.	Lock
Craig	Love
Crossley	Lowry
Crosthwait	Lucas
Daniel	Lyle
Deen	McAlister
Dickson of Bexar	McCann
Dickson of Nolan	McDonald
Donald	McGlasson
Dove	McMurry
Duckett	McNamara
Ellis	Manford
Eubank	Manning
Evans	Markle
Ferguson	Martin
Files	Matthews
Fitzgerald	Mills
Fuchs	Moore
Gandy	Morgan
Garland	Morris
Gilmer	Morse
Halsey	Murray
Hanna	Pace
Hardeman	Parker
Hargis	Pevehouse
Harris of Dallas	Phillips

Price	Spacek
Rampy	Spangler
Reed of Bowie	Stanford
Reed of Dallas	Stinson
Ridgeway	Taylor
Roark	Thornton
Roberts	Turner
Sallas	Vale
Senterfitt	Voigt
Sharpe	Walters
Shell	Wattner
Simpson	Weatherford
Skiles	White
Smith of Bastrop	Whitesides
Smith of Atascosa	Winfree

Nays—1

Davis

Present—Not Voting

Harris of Hill

Absent

Anderson	Favors
Brawner	Goodman
Bridgers	King
Bundy	McLellan
Cato	Montgomery
Connelly	Rhodes
Dwyer	Stubbs

Absent—Excused

Allen	Huffman
Heflin	Nicholson

The Chair then laid Senate Bill No. 276 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—128

Allison	Carrington
Alsup	Celaya
Avant	Chambers
Bailey	Clark
Baker	Cleveland
Bean	Coker
Bell	Colson, Mrs.
Benton	Craig
Blankenship	Crossley
Boone	Crosthwait
Bray	Daniel
Brown	Deen
Bruhl	Dickson of Bexar
Bullock	Dickson of Nolan
Burkett	Donald
Burnaman	Dove
Carlton	Duckett

Ellis	McMurry
Eubank	McNamara
Evans	Manford
Ferguson	Manning
Files	Markle
Fitzgerald	Martin
Fuchs	Matthews
Gandy	Mills
Garland	Moore
Gilmer	Morgan
Halsey	Morris
Hanna	Morse
Hardeman	Murray
Hargis	Pace
Harris of Dallas	Parker
Hartzog	Pevehouse
Helpinstill	Phillips
Henderson	Price
Hileman	Rampy
Hobbs	Reed of Bowie
Howard	Reed of Dallas
Howington	Ridgeway
Hoyo	Roark
Huddleston	Roberts
Hughes	Sallas
Humphrey	Senterfitt
Hutchinson	Sharpe
Isaacks	Shell
Jones	Simpson
Kelly	Skiles
Kennedy	Smith of Bastrop
Kinard	Smith of Atascosa
Klingeman	Spacek
Knight	Spangler
Lansberry	Stanford
Lehman	Stinson
Leyendecker	Taylor
Little	Thornton
Lock	Turner
Love	Vale
Lowry	Voigt
Lucas	Walters
Lyle	Wattner
McAlister	Weatherford
McCann	White
McDonald	Whitesides
McGlasson	Winfree

Nays—1

Davis

Present—Not Voting

Harris of Hill

Absent

Anderson	Dwyer
Brawner	Favors
Bridgers	Goodman
Bundy	King
Cato	McLellan
Connelly	Montgomery

Rhodes

Stubbs

Absent—Excused

Allen
HeflinHuffman
NicholsonSENATE BILL NO. 462 ON
SECOND READING

(By unanimous consent)

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 462, A bill to be entitled "An Act granting permission to Mount Olivet Cemetery Company, a private corporation chartered under the laws of this State, to bring and prosecute suit against the State of Texas in any court of competent jurisdiction in Tarrant County, Texas, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 462 ON
THIRD READING

Mr. McAlister moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 462 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—126

Allison
Alsup
Avant
Bailey
Baker
Bean
Bell
Benton
Blankenship
Boone
Bray
Bridgers
Brown
Bruhl
Bullock
Burkett
Burnaman
Carlton
Carrington
Chambers

Clark
Cleveland
Coker
Colson, Mrs.
Craig
Crossley
Crosthwait
Daniel
Deen
Dickson of Bexar
Dickson of Nolan
Donald
Dove
Duckett
Ellis
Eubank
Evans
Ferguson
Files
Fitzgerald

Fuchs
Gandy
Garland
Gilmer
Goodman
Halsey
Hanna
Hardeman
Hargis
Harris of Dallas
Hartzog
Helpinstill
Henderson
Hileman
Hobbs
Howard
Howington
Hoyo
Huddleston
Hughes
Humphrey
Isaacks
Jones
Kelly
Kennedy
Kinard
Klingeman
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lowry
Lucas
Lyle
McAlister
McCann
McDonald
McGlasson
McMurry
McNamara

Manford
Manning
Markle
Martin
Matthews
Montgomery
Moore
Morgan
Morris
Morse
Murray
Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Roark
Roberts
Sallas
Senterfitt
Sharpe
Shell
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stinson
Taylor
Thornton
Turner
Vale
Voigt
Walters
Wattner
Weatherford
White
Whitesides

Nays—1

Davis

Present—Not Voting

Harris of Hill

Absent

Anderson
Brawner
Bundy
Cato
Celaya
Connelly
Dwyer
Favors

Hutchinson
King
McLellan
Mills
Rhodes
Stanford
Stubbs
Winfree

Absent—Excused

Allen	Huffman
Heflin	Nicholson

The Chair then laid Senate Bill No. 462 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—126

Allison	Hartzog
Alsup	Helpinstill
Avant	Henderson
Bailey	Hileman
Baker	Hobbs
Bean	Howard
Bell	Howington
Benton	Hoyo
Blankenship	Huddleston
Boone	Hughes
Bray	Humphrey
Bridgers	Isaacks
Brown	Jones
Bruhl	Kelly
Bullock	Kennedy
Burkett	Kinard
Burnaman	Klingeman
Carlton	Knight
Carrington	Lansberry
Chambers	Lehman
Clark	Leyendecker
Cleveland	Little
Coker	Lock
Colson, Mrs.	Love
Craig	Lowry
Crossley	Lucas
Crosthwait	Lyle
Daniel	McAlister
Deen	McCann
Dickson of Bexar	McDonald
Dickson of Nolan	McGlasson
Donald	McMurry
Dove	McNamara
Duckett	Manford
Ellis	Manning
Eubank	Markle
Evans	Martin
Ferguson	Matthews
Files	Montgomery
Fitzgerald	Moore
Fuchs	Morgan
Gandy	Morris
Garland	Morse
Gilmer	Murray
Goodman	Pace
Halsey	Parker
Hanna	Pevehouse
Hardeman	Phillips
Hargis	Price
Harris of Dallas	Rampy

Reed of Bowie	Spacek
Reed of Dallas	Spangler
Ridgeway	Stinson
Roark	Taylor
Roberts	Thornton
Sallas	Turner
Senterfitt	Vale
Sharpe	Voigt
Shell	Walters
Simpson	Wattner
Skiles	Weatherford
Smith of Bastrop	White
Smith of Atascosa	Whitesides

Nays—1

Davis

Present—Not Voting

Harris of Hill

Absent

Anderson	Hutchinson
Brawner	King
Bundy	McLellan
Cato	Mills
Celaya	Rhodes
Connelly	Stanford
Dwyer	Stubbs
Favors	Winfree

Absent—Excused

Allen	Huffman
Heflin	Nicholson

(Speaker in the Chair.)

SPECIAL COMMITTEE APPOINTED

The Speaker announced the appointment of the following committee to escort Mr. H. V. Kaltenborn to the Speaker's stand:

Messrs. Cato, Kennedy, Manford, Stubbs, Lowry and Brown.

ADDRESS BY MR. H. V. KALTENBORN

(In Joint Session)

In accordance with the provisions of House Concurrent Resolution No. 148, adopted by the House and Senate, for the purpose of hearing H. V. Kaltenborn, the Honorable Senators escorted by Hon. Bob Barker, Secretary of the Senate, were announced at the bar of the House and being duly admitted were escorted to seats prepared for them along the aisle.

Lieutenant Governor Coke R. Stevenson was escorted to a seat on the Speaker's Stand.

Honorable H. V. Kaltenborn, and party, escorted by Messrs. Cato, Kennedy, Manford, Stubbs, Lowry, and Brown, committee on the part of the House, were announced at the bar of the House and were escorted to seats on the Speaker's Stand.

Lieutenant Governor Coke R. Stevenson called the Senate to order and stated that the two Houses were in Joint Session for the purpose of hearing Honorable H. V. Kaltenborn.

The Lieutenant Governor directed the clerk to call the roll of the Senate.

The roll of the Senate was called and the following Senators were present:

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears	Winfield
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A quorum of the Senate was announced present.

Speaker Homer Leonard called the House to order and directed the Clerk to call the roll of the House.

The roll of the House was called and the following members were present:

Mr. Speaker	Brawner
Allison	Bray
Alsup	Bridgers
Anderson	Brown
Avant	Bruhl
Bailey	Bullock
Baker	Bundy
Bean	Burkett
Bell	Burnaman
Benton	Carlton
Blankenship	Carrington
Boone	Cato

Celaya	Little
Chambers	Lock
Clark	Love
Cleveland	Lowry
Coker	Lucas
Colson, Mrs.	Lyle
Connelly	McAlister
Craig	McCann
Crossley	McDonald
Crosthwait	McGlasson
Daniel	McLellan
Davis	McMurry
Deen	McNamara
Dickson of Bexar	Manford
Dickson of Nolan	Manning
Donald	Markle
Dove	Martin
Duckett	Matthews
Dwyer	Mills
Ellis	Montgomery
Eubank	Moore
Evans	Morgan
Favors	Morris
Ferguson	Morse
Files	Murray
Fitzgerald	Pace
Fuchs	Parker
Gandy	Pevehouse
Garland	Phillips
Gilmer	Price
Goodman	Rampy
Halsey	Reed of Bowie
Hanna	Reed of Dallas
Hardeman	Ridgeway
Hargis	Rhodes
Harris of Dallas	Roark
Harris of Hill	Roberts
Hartzog	Sallas
Helpinstill	Senterfitt
Henderson	Sharpe
Hileman	Shell
Hobbs	Simpson
Howard	Skiles
Howington	Smith of Bastrop
Hoyo	Smith of Atascosa
Huddleston	Spacek
Hughes	Spangler
Humphrey	Stanford
Hutchinson	Stinson
Isaacks	Stubbs
Jones	Taylor
Kelly	Thornton
Kennedy	Turner
Kersey	Vale
Kinard	Voigt
King	Walters
Klingeman	Wattner
Knight	Weatherford
Lansberry	White
Lehman	Whitesides
Leyendecker	Winfree

Absent—Excused

Allen
Heflin

Huffman
Nicholson

A quorum of the House was announced present.

Speaker Leonard presented Honorable Arthur Cato of Parker County, who in turn presented Mr. H. V. Kaltenborn to the Joint Session and the assemblage.

Mr. Kaltenborn then addressed the Joint Session, in part as follows:

Mr. Chairman, Mr. Speaker, Mr. Governor, Members of the House and Guests: At least I assume that a few of you are guests. I was not aware there were quite so many feminine members of the Texas Legislature and there are some who are very young—I can hardly believe they are old enough to qualify for membership.

I do appreciate the privilege of coming into the Legislative chamber of a great state at a great historic moment. History was made last night. The address of the President of the United States will go down in history as one of the great addresses of this Nation.

Last night he spoke not only for the mind of America, but he spoke for the heart of America, and that means he spoke for the great state of Texas.

In a very real sense you represent America's heart. You represent some of its historic symbols, the great free * * * of the America you love—your great crops, whether it be of corn or cattle or oil symbolizes the best natural resources of our union, and your spirit, that valiant spirit of Texas exemplifies the many battle fields, whether they are of war or politics, because you are good politicians in Texas.

When I go over your state and see what you got while the getting was good, I said to myself "These people know how to do it." Well, you only got what was coming to you. You are a big state and you have a lot of people, and you have sent some very fine representatives to Washington to speak for you and work for you and represent you.

This address that the President made after such careful preparation marks in a real sense a new rela-

tionship of this country to the war. I have always maintained we have been in the war for some time. I felt we committed ourselves when we passed the Lease-Lend Bill. When the United States gives aid it means it and delivers that aid.

That is what the President said last night, and he means it, and we mean it. I don't know, and you don't know and he doesn't know whether it will take convoys, whether it is to go by underseas, surface ships or by planes, but the essential thing is it will be done and the debate as to just how this is to be done and that is not to be done, those days happily are now over. There is time for debate and discussion in every Democratic community. That is the essence of Democracy—free speech and free press for the exchange of ideas, but if Democracy is to function, the time of debate must be succeeded by the time of action, and the time of action is Now.

Don't let anyone tell you that the American people are opposed to what the administration has been doing, it is not true. No administration has had more unanimous support than the administration of Franklin Delano Roosevelt.

Now we have let the appeasers have their day. They have tried to conjure up a false picture. It is not a conflict for power. It is not a conflict between two powers, it is a fundamental revolution to undo all men have achieved as an effort to set the clock backwards.

It is no time for the cut throat gangsters to rule the peoples of the world. You know free Americans could never accept a totalitarian doctrine, they never will. And the insidious challenge of that doctrine across the Atlantic is seeping into the lives of Democratic people, but not for long.

That is one thing that the declaration of . . . the assumption of power by the Chief Executive of this nation is going to be put to an end. We have stood it long enough. We will stand it no longer. From now on we are a united nation. We are devoted to the nation. We know what is at stake. We know the danger that lies ahead. It is not an easy one.

He is approaching Africa and Asia. He has enslaved one million

people in the heart of Europe for the purpose of further conquest, and step by step it has advanced toward the Western Hemisphere. We must recognize that danger. He approaches his prey indirectly, never honestly and directly.

He approached Norway through Denmark, France through Austria, Belgium through Holland, but that is no reason for us to stand idly by waiting for an attack. Americans have always believed the best kind of defense is an attack. Not to wait apprehensively and fearfully until your enemy is upon you, you no longer have a chance to strike back or to reach out where the enemy is, to hunt him down in his own lands before he approaches your own shores. We have a magnificent opportunity to do just that.

For almost two years the British have held Hitler at bay. They are fighting desperately today on the little island of Crete in order to slow down his progress toward the Suez Canal and every time Britain makes an added gain, it adds a day for the munitions plants of the United States to turn out material with which to defeat Hitler.

Unfortunately had no last war begun to make real speed, as a united nation we can make far greater speed than if we permit conflict among us. Forgetful of the nation's interest they have carried on such a strike in the San Francisco shipyards where they asked for an increase from \$1.05 and where instead of time and a half a contract honestly made by their leaders with the employers in these shipyards, and because the selfish minority didn't realize what is at stake, refused to comply with their contract so that 20,000 workers were unable to proceed with \$5,000,000 worth of ship building, which is so essential to the cause of Democracy. How long will a free people accept such conditions? Not much longer.

And those words of the President will have their effect in every community of this great country, and beginning today we are once again a united nation. We face a great crisis. We are about to achieve a great purpose. We know what is meant by that great word "Hitlerism" and I know it better than most of you. I have had the dreadful priv-

ilege of meeting that gentleman too and tonight I will have the privilege of telling you how he looks, acts and talks. I know what the challenge is to our way of life. I have seen the enslaved people of Europe. I know what they were before the war, and I know what they are now, and I know what the result of a triumph in Europe would be for the remaining few people of the world, but it shall not come, it will not come.

Hitler cannot achieve mastery of the seas, where the final conflict will have to be fought, for let him conquest what he will by land, the real result as the President pointed out finally the conglomerate structure becomes top heavy and topples into the dust, for you cannot permanently enslave millions of men and hold them chained to your chariot.

On the seas where American ships will ride protected by the American navy, there is the secret of the success of the Democratic nations. We will go on building the ships and we will go on building the navy, and we will go on creating the air force that is going to win the final war.

It was an American ship of the air that hunted down the Bismarck. It is the American ships of the air force that are flying night and day from America to England bringing help to the hard pressed British.

We are going to try to carry on as usual as a United people the vast issue and realizing what is at stake, we are going to join together in a great and valiant effort to once again through the triumph of those great principles, these eternal principles, for which it is sweet to die, if die we must, principles that will live, that hold in them the best human kindness achieved, and let us welcome it and do our American best to see the issue is sought out now and that the right end comes before too long.

Speaker Leonard expressed appreciation to Mr. Kaltenborn on behalf of the members of the House and presented Mr. Kaltenborn with an enrolled copy of the resolution, inviting him to address the House.

(On motion of Mr. Kennedy the remarks of Mr. Kaltenborn were ordered printed in the Journal.)

SENATE RETIRES

At the conclusion of the address the Senate at 1.35 o'clock p. m., retired to its Chamber.

SENATE BILL ON FIRST READING

The following Senate bill received from the Senate today was laid before the House, read first time, and referred to the appropriate committee as follows:

S. B. No. 488, to the Committee on Conservation and Reclamation.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and their captions had been read severally the following enrolled bills and resolution:

H. B. No. 594, "An Act making an appropriation out of the General Revenue of the State of Texas for the Secretary of State, for the purpose of compiling, editing, indexing, binding, and distributing the current laws; making the same immediately available; and declaring an emergency."

H. B. No. 997, "An Act appropriating One Thousand Dollars for the Commission of Appeals to the Court of Criminal Appeals; and declaring an emergency."

H. C. R. No. 180, Suspending Joint Rules to permit the consideration of certain bills.

HOUSE BILLS ON FIRST READING

Mr. Celaya asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1067.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Celaya, Mr. Cato, Mr. Clark and Mr. Brawner:

H. B. No. 1067, A bill to be entitled "An Act amending Section 1 of House Bill No. 186, Regular Session of the 47th Legislature, fixing an open season for Mourning Doves

and White-wing Doves; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

Mr. Boone asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1068.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Boone:

H. B. No. 1068, A bill to be entitled "An Act to amend Article X of House Bill No. 8, passed by the Regular Session of the Forty-seventh Legislature, placing a gross receipts tax upon the retail sales of new radios and placing a stamp tax upon the sale of cosmetics and playing cards, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

RECESS

Mr. Fuchs moved that the House recess until 3:30 o'clock p. m. today.

Mr. Kersey moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

Mr. Blankenship moved that the House recess until 10:00 o'clock a. m. tomorrow.

Question recurring on the motion to adjourn, yeas and nays were demanded.

The motion to adjourn was lost by the following vote:

Yeas—39

Allison	Hanna
Bailey	Harris of Dallas
Brawner	Howard
Burnaman	Hoyo
Carlton	Hughes
Clark	Humphrey
Cleveland	Hutchinson
Coker	Kelly
Craig	Kennedy
Davis	Kersey
Dickson of Nolan	McAlister
Eubank	McGlasson
Gilmer	McNamara
Halsey	Markle

Martin	Roberts
Morgan	Skiles
Morris	Smith of Bastrop
Murray	Thornton
Parker	Voigt
Ridgeway	

Nays—94

Alsop	King
Avant	Knight
Baker	Lansberry
Bell	Lehman
Benton	Little
Blankenship	Lock
Bray	Love
Brown	Lowry
Bruhl	Lucas
Bullock	Lyle
Bundy	McCann
Burkett	McDonald
Carrington	McMurry
Cato	Manford
Celaya	Manning
Chambers	Matthews
Colson, Mrs.	Mills
Connelly	Montgomery
Crossley	Moore
Crosthwait	Morse
Daniel	Pace
Deen	Pevehouse
Dickson of Bexar	Phillips
Donald	Price
Dove	Rampy
Duckett	Reed of Dallas
Dwyer	Rhodes
Evans	Roark
Favors	Sallas
Ferguson	Senterfitt
Files	Shell
Fitzgerald	Simpson
Fuchs	Smith of Atascosa
Gandy	Spacek
Garland	Spangler
Goodman	Stanford
Hardeman	Stinson
Hargis	Stubbs
Harris of Hill	Taylor
Hartzog	Turner
Helpinstill	Vale
Henderson	Walters
Hileman	Wattner
Hobbs	Weatherford
Howington	White
Huddleston	Whitesides
Isaacks	Winfree

Absent

Anderson	Kinard
Bean	Klingeman
Boone	Leyendecker
Bridgers	McLellan
Ellis	Reed of Bowie
Jones	Sharpe

Absent—Excused

Allen	Huffman
Heflin	Nicholson

Question next recurring on the motion to recess until 3:30 o'clock p. m. today, it prevailed and the House accordingly, at 1:50 o'clock p. m., took recess until 3:30 o'clock p. m. today.

AFTERNOON SESSION

The House met at 3:30 o'clock p. m., and was called to order by the Speaker.

TO PROVIDE FOR THE APPOINTMENT OF CERTAIN COMMISSION

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 66, To provide for the appointment of "Capitol Planning Commission."

Whereas, When the present State Capitol Building was erected, the population of the State was barely one-fourth of its present population; and

Whereas, There is reasonable expectation of further continued growth in the population of Texas; and

Whereas, In recent years the State Government has been required by public opinion, and by the adoption of Constitutional amendments, to engage in many new functions and activities, that were not contemplated when the present Capitol Building was erected, such as Unemployment Compensation, Social Security, expanded agricultural, military, educational, health, and highway facilities, regulation of utilities, the transportation industry, the petroleum industry, and various other well organized and essential regulatory functions; and

Whereas, These additional activities of the State Government have separately and collectively called for a very greatly expanded need for well arranged office space and office buildings in which to house the various State Departments; and

Whereas, Said expansion will probably continue, in keeping with the increase in the State's population, and the increase in the demands

of the public for additional services from the Government; and

Whereas, At the present time, a considerable portion of the State's employees and valuable records are being taken care of in widely separated offices in various parts of the Capital City, thus tending to lower the efficiency of the State Government, and, at the same time, considerably adding to the inconvenience of the people who have occasion to deal with the various departments; and

Whereas, It has thus developed that it may become necessary to acquire additional grounds near the present Capitol Building, upon which to construct suitable fireproof office buildings, and provide appropriate space for parking, and other means of ingress and egress to said buildings, and to the State Capitol; and

Whereas, The same should be accomplished and brought about through a well considered plan, whereby the maximum efficiency in the State Departments may be maintained at the least expense; now, therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That in order to accomplish the above mentioned desirable purposes, that the Lieutenant Governor shall appoint from the membership of the Senate three (3) disinterested, competent members of the Senate, and that the Speaker of the House of Representatives shall appoint three (3) disinterested, competent members of the House of Representatives, said members collectively to be known as the "Capitol Planning Commission," and that said Commission is hereby instructed to make a complete survey of the needs of the State, and of the availability of property which may become useful to the State, and that said Commission be instructed to make a report, either to a Special Session of the 47th Legislature, if one be called, or to the Regular Session of the 48th Legislature, with suitable recommendations; and be it further

Resolved, That said Commission consult competent authorities and technical advisers before making up its report, in order that same may be based on competent and qualified technical information.

The resolution was read second time.

Mr. Harris of Dallas raised a point of order on further consideration of the resolution at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

SENATE BILL NO. 163 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 163, A bill to be entitled "An Act providing for the regulating appropriations from moneys in the State Treasury not otherwise appropriated, to supplement local funds for the support, maintenance, operation, and improvement of the Public Junior Colleges of Texas, etc.; and declaring an emergency."

The bill having heretofore been read second time with committee amendment by Mr. McDonald, pending.

The committee amendment was withdrawn.

Mr. Hanna moved to table Senate Bill No. 163.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—16

Bailey	Humphrey
Brawner	Hutchinson
Brown	Kennedy
Cleveland	Markle
Dickson of Nolan	Parker
Gilmer	Senterfitt
Harris of Dallas	Wattner
Howington	Whitesides

Nays—98

Alsup	Bridgers
Avant	Bruhl
Baker	Bullock
Bean	Bundy
Bell	Burkett
Benton	Burnaman
Boone	Carrington
Bray	Celaya

Chambers	Lucas
Coker	Lyle
Connelly	McCann
Crossley	McLellan
Crosthwait	McMurry
Daniel	McNamara
Deen	Manford
Dickson of Bexar	Manning
Donald	Martin
Dove	Matthews
Duckett	Mills
Dwyer	Montgomery
Ellis	Moore
Evans	Morgan
Favors	Morse
Ferguson	Murray
Files	Pace
Fitzgerald	Pevehouse
Fuchs	Phillips
Gandy	Price
Garland	Rampy
Goodman	Reed of Bowie
Hardeman	Reed of Dallas
Hargis	Ridgeway
Harris of Hill	Rhodes
Hartzog	Roark
Helpinstill	Roberts
Henderson	Sallas
Hileman	Shell
Huddleston	Simpson
Hughes	Smith of Bastrop
Jones	Spacek
Kinard	Spangler
King	Stubbs
Klingeman	Taylor
Lehman	Turner
Leyendecker	Vale
Little	Walters
Lock	Weatherford
Love	White
Lowry	Winfree
Present—Not Voting	
McGlasson	Thornton
Absent	
Allison	Isaacks
Anderson	Kelly
Blankenship	Kersey
Carlton	Knight
Cato	Lansberry
Clark	McAlister
Colson, Mrs.	McDonald
Craig	Morris
Davis	Sharpe
Eubank	Skiles
Halsey	Smith of Atascosa
Hanna	Stanford
Hobbs	Stinson
Howard	Voigt
Hoyo	
Absent—Excused	
Allen	Heflin

Huffman Nicholson
PAIRED

Mr. McGlasson (present), who would vote "yea," with Mr. Nicholson (absent), who would vote "nay."

Mr. Montgomery offered the following amendment to the bill:

Amend Senate Bill No. 163 by adding the following between lines 3 and 4, page 3:

"University of Houston, Houston, Texas, Junior College Division, freshman and sophomore students only"

MONTGOMERY,
MORSE,
HEFLIN,
WINFREE,
HOWARD,
HARRIS of Hill.

(Pending consideration of the amendment, Mr. Morris occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Alsup raised a point of order on further consideration of the amendment at this time, on the ground that the amendment is not germane to the bill.

The Speaker overruled the point of order.

Question recurring on the amendment by Mr. Montgomery, it was adopted.

Mr. Eubank offered the following amendment to the bill:

Amend Senate Bill No. 163 by adding after the words Junior Colleges on page 1 the following:

"It is further provided that each Public Junior College, to be eligible for and to receive a proportionate share of this appropriation, must first levy a local tax sufficient to raise fifty (\$50.00) dollars per student; it is further provided that each Public Junior College shall charge a tuition fee of not less than fifty (\$50.00) dollars and not more than one hundred (\$100.00) dollars for each student enrolled. Before any funds appropriated under the terms of this Act shall be disbursed by the State Treasurer, each Public Junior College named herein shall submit to the State Treasurer and the Comp-

troller of this State, on forms furnished by the Comptroller of Public Accounts, a detailed statement setting forth the taxable valuation of the district, the tax rate of said district, the number of students enrolled as of November 1 in any fiscal year, and the amount of tuition charged.

"Said information set forth shall be sworn to and shall be filed with said officials before any allocation is made to any of said Public Junior Colleges."

Mr. Harris of Hill moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows: Yeas, 68; nays, 62.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—70

Allen	Henderson
Baker	Hileman
Bean	Howington
Bell	Hoyo
Bray	Huddleston
Bruhl	Jones
Bundy	Leyendecker
Burkett	Little
Cato	Lowry
Celaya	Lucas
Coker	McCann
Connelly	McLellan
Crossley	McMurry
Crosthwait	Martin
Daniel	Matthews
Dickson of Bexar	Mills
Donald	Montgomery
Dove	Moore
Duckett	Morgan
Dwyer	Morse
Ellis	Pace
Evans	Pevehouse
Favors	Phillips
Ferguson	Price
Files	Rampy
Fuchs	Reed of Bowie
Garland	Ridgeway
Hardeman	Rhodes
Hargis	Roark
Harris of Hill	Roberts
Hartzog	Sallas

Shell	Turner
Smith of Bastrop	Vale
Spacek	White
Spangler	Winfree

Nays—62

Alsup	Humphrey
Avant	Hutchinson
Bailey	Isaacks
Benton	Kelly
Blankenship	Kennedy
Boone	Kersey
Brawner	King
Bridgers	Klingeman
Brown	Knight
Bullock	Lansberry
Burnaman	Lehman
Carlton	Lock
Carrington	Love
Chambers	Lyle
Clark	McAlister
Cleveland	Markle
Craig	Morris
Davis	Murray
Deen	Parker
Dickson of Nolan	Reed of Dallas
Eubank	Senterfitt
Fitzgerald	Simpson
Gandy	Skiles
Gilmer	Stanford
Goodman	Stinson
Halsey	Taylor
Hanna	Thornton
Harris of Dallas	Voigt
Helpinstill	Walters
Howard	Wattner
Hughes	Whitesides

Present—Not Voting

McGlasson

Absent

Allison	McNamara
Anderson	Manford
Colson, Mrs.	Manning
Hobbs	Smith of Atascosa
Kinard	Stubbs
McDonald	Weatherford

Absent—Excused

Heflin	Nicholson
Huffman	Sharpe

PAIRED

Mr. McGlasson (present), who would vote "nay," with Mr. Nicholson (absent), who would vote "yea."

The Speaker announced that the motion to table the amendment by Mr. Eubank prevailed.

Mr. Morris offered the following amendment to the bill:

Amend Senate Bill No. 163 by adding at the end of Section 2 the following:

"It shall be mandatory that each institution participating in the funds herein provided shall collect from each pupil enrolled, matriculation and other session fees not less than the amounts provided for by law and by other State supported institutions of higher learning; as provided in Articles 2654A, 2654B and 2654C, Revised Civil Statutes of Texas."

The amendment was adopted.

Mr. Morris moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Kersey offered the following amendment to the bill:

Amend Senate Bill No. 163 by adding a new section to read as follows:

"\$50.00 per student to all Junior Colleges that are operated and controlled by religious organizations."

Mr. Manford raised a point of order on further consideration of the amendment at this time, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. Clark offered the following amendment to the bill:

Amend Senate Bill No. 163 by adding the following school:

"Southwestern University, first two years."

Mr. Manford raised a point of order on further consideration of the amendment at this time, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. McAlister and Mr. Love offered the following amendment to the bill:

Amend Senate Bill No. 163 by adding the following schools:

"Texas Christian University and Texas Wesleyan College, first 2 years work."

McALISTER,
LOVE.

Mr. Manford raised a point of order on further consideration of the amendment at this time, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. Harris of Dallas offered the following amendment to the bill:

Amend Senate Bill No. 163 by adding the following between lines 3 and 4, page 3:

"Baylor University, Waco, Texas, Junior College Division, freshman and sophomore students only."

Mr. Manford raised a point of order on further consideration of the amendment at this time, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. Lucas offered the following amendment to the bill:

Amend Senate Bill No. 163, page 2, by adding the following at the end of Section 2:

"Provided, further, student fees shall be reduced in the proportionate amount of funds received from the State under the provisions of this Act."

Mr. Kennedy raised a point of order on further consideration of the amendment at this time, on the ground that the amendment seeks to make changes in an amendment heretofore adopted.

The Speaker sustained the point of order.

Mr. Bundy moved the previous question on the passage of Senate Bill No. 163 to third reading and the main question was ordered.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 163 was then passed to third reading by the following vote:

Yeas—92

Allen
Alsup
Baker
Bean

Bell
Boone
Bray
Bruhl

Bundy	Little
Burkett	Love
Burnaman	Lowry
Carrington	Lucas
Cato	Lyle
Celaya	McCann
Chambers	McLellan
Coker	McMurry
Connelly	McNamara
Crossley	Manford
Daniel	Manning
Davis	Martin
Dickson of Bexar	Matthews
Donald	Mills
Dove	Montgomery
Duckett	Moore
Dwyer	Morgan
Ellis	Morse
Favors	Pace
Ferguson	Pevehouse
Files	Phillips
Fuchs	Price
Gandy	Rampy
Garland	Reed of Bowie
Goodman	Reed of Dallas
Hardeman	Ridgeway
Hargis	Rhodes
Harris of Hill	Roark
Hartzog	Roberts
Helpinstill	Sallas
Henderson	Shell
Hileman	Simpson
Howington	Smith of Bastrop
Hoyo	Spacek
Huddleston	Spangler
Hughes	Stinson
Jones	Stubbs
Kinard	Taylor
Klingeman	Turner
Knight	Vale
Lehman	White
Leyendecker	Winfree

Nays—44

Avant	Hanna
Bailey	Harris of Dallas
Benton	Howard
Brawner	Humphrey
Bridgers	Hutchinson
Brown	Kelly
Bullock	Kennedy
Carlton	Kersey
Clark	King
Cleveland	Lansberry
Colson, Mrs.	Lock
Craig	McAlister
Crosthwait	McDonald
Deen	Markle
Dickson of Nolan	Morris
Eubank	Murray
Fitzgerald	Parker
Gilmer	Senterfitt
Halsey	Skiles

Stanford	Wattner
Thornton	Weatherford
Voigt	Whitesides

Present—Not Voting

McGlasson

Absent

Allison	Hobbs
Anderson	Isaacks
Blankenship	Smith of Atascosa
Evans	Walters

Absent—Excused

Heflin	Nicholson
Huffman	Sharpe

PAIRED

Mr. McGlasson (present), who would vote "nay" with Mr. Nicholson (absent), who would vote "yea."

Mr. Matthews moved to reconsider the vote by which the bill passed to third reading and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO PLACE SENATE BILL NO. 163 ON THIRD READING

Mr. Harris of Hill moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 163 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—91

Allen	Duckett
Alsup	Dwyer
Baker	Ellis
Bean	Favors
Bell	Ferguson
Boone	Files
Bray	Fuchs
Bruhl	Gandy
Bundy	Garland
Burkett	Goodman
Burnaman	Hardeman
Carrington	Hargis
Cato	Harris of Hill
Celaya	Hartzog
Chambers	Helpinstill
Coker	Henderson
Connelly	Hileman
Crossley	Howington
Daniel	Hoyo
Davis	Huddleston
Dickson of Bexar	Hughes
Donald	Jones
Dove	Kinard

Knight	Pevehouse
Lehman	Phillips
Leyendecker	Price
Little	Rampy
Lock	Reed of Bowie
Love	Reed of Dallas
Lowry	Ridgeway
Lucas	Rhodes
Lyle	Roark
McCann	Roberts
McLellan	Sallas
McMurry	Shell
McNamara	Simpson
Manford	Smith of Bastrop
Manning	Spacek
Martin	Spangler
Matthews	Stinson
Mills	Taylor
Montgomery	Turner
Moore	Vale
Morgan	White
Morse	Winfree
Pace	

Nays—44

Allison	Humphrey
Avant	Hutchinson
Bailey	Kelly
Benton	Kennedy
Brawner	Kersey
Bridgers	King
Brown	Klingeman
Bullock	Lansberry
Carlton	McAlister
Cleveland	McDonald
Colson, Mrs.	Markle
Craig	Morris
Crosthwait	Murray
Deen	Parker
Dickson of Nolan	Senterfitt
Eubank	Skiles
Fitzgerald	Stanford
Gilmer	Thornton
Halsey	Voigt
Hanna	Wattner
Harris of Dallas	Weatherford
Howard	Whitesides

Present—Not Voting

McGlasson

Absent

Anderson	Isaacks
Blankenship	Sharpe
Clark	Smith of Atascosa
Evans	Stubbs
Hobbs	Walters

Absent—Excused

Heflin	Nicholson
Huffman	

PAIRED

Mr. McGlasson (present), who

would vote "nay" with Mr. Nicholson (absent), who would vote "yea."

MESSAGE FROM THE SENATE

Austin, Texas, May 28, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

H. C. R. No. 171, Opposing further transfer of tankers for the purpose of carrying oil and its products to the North Atlantic Ports for the British.

Adopted the Conference Committee Report on Senate Bill No. 479 by the following vote: Yeas, 29; nays, 0.

Adopted the Conference Committee Report on Senate Bill No. 470 by the following vote: Yeas, 29; nays, 0.

Passed

S. B. No. 476, A bill to be entitled "An Act transferring to the State Highway Fund all unexpended and unobligated balances of appropriations made to the Department of Public Safety; etc., and declaring an emergency."

H. B. No. 576, A bill to be entitled "An Act to repeal Article 4201a, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 968, A bill to be entitled "An Act creating a special road law for Burnet County, Texas; etc., and declaring an emergency."

H. B. No. 1026, A bill to be entitled "An Act conferring upon the Board of Regents of the Texas State Teachers College the power of eminent domain to acquire land for the use of the Colleges; etc., and declaring an emergency."

Adopted

S. C. R. No. 68, Endorsing foreign policies of the President of the United States, etc.

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and

referred to the appropriate committee, as follows:

S. B. No. 476, to the Committee on appropriations.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

Austin, Texas, May 28, 1941.

To the Members of the Forty-seventh Legislature:

For many, many years Texas Rangers have been under the supervision of the Adjutant General, but, during the previous administration they were taken away from the Adjutant General, and placed in the Department of Public Safety. When this was done it left the Governor without any positive means of making investigations of lawlessness when asked to do so by the citizens of this State, and it left him without any positive means of rendering aid in stopping lawlessness in local subdivisions when called upon for such aid.

The citizens of this State expect their Governor to respond when they ask for this service because they know that Article 4, Section 10, of our State Constitution, reads in part as follows:

"He (the Governor) shall cause the laws to be faithfully executed."

The facilities for enabling the Governor to cause the laws to be faithfully executed have been taken away from him, and for that reason, I am attaching a bill which will restore these facilities to the Governor and to the State of Texas so that he may be able to cause the laws to be faithfully executed, and I am submitting this as emergency legislation. This bill when enacted will return the Texas Ranger Force to the Adjutant General's Department.

During these critical times it is more important than ever that the Governor of the State of Texas should have the Texas Rangers under the command of the Adjutant General, and I trust you will give this matter your immediate attention.

Respectfully submitted,

W. LEE O'DANIEL,
Governor of Texas.

TEXT OF BILL SUBMITTED BY GOVERNOR

H. B. No. —,

A BILL

To Be Entitled

An Act transferring to and vesting the functions of the Texas Ranger Force, the Bureau of Identification and Records, the Bureau of Communications, the Bureau of Intelligence, and the Bureau of Education, now divisions of the Department of Public Safety, to the Adjutant General's Department, and transferring all functions, duties and powers vested by law in the Department of Public Safety pertaining to said divisions in the Adjutant General of the State of Texas; providing for the transfer of all officers and employees, the balances of appropriations and all books, papers, records, property and pending business of these divisions from the Department of Public Safety to the Adjutant General's Department; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. The Texas Ranger Force, the Bureau of Identification and Records, the Bureau of Communications, the Bureau of Intelligence, and the Bureau of Education, now divisions of the Department of Public Safety, are hereby transferred to and placed under the jurisdiction of the Adjutant General of the State of Texas. All functions, duties and powers now vested by law in the Department of Public Safety pertaining to said divisions are hereby transferred to and vested in the Adjutant General of the State of Texas.

Sec. 2. Upon the taking effect of this Act, all books, papers, records, property and pending business theretofore made, used, acquired or conducted by the Department of Public Safety in said divisions shall be transferred to and vested in the Adjutant General of the State of Texas.

Sec. 3. All officers and employees of said division of the Department of Public Safety shall be transferred to the Adjutant General's

Department and shall perform such duties as may be directed by the Adjutant General who shall have the power to eliminate unnecessary positions, to transfer employees and officers between positions and to change the duties, titles and compensation of existing officers and positions necessary to effect an efficient administration of the office.

Sec. 4. The balances of appropriations to the credit of the Department of Public Safety available for expenditure in the operation of the Texas Ranger Force, the Bureau of Identification and Records, the Bureau of Communications, the Bureau of Intelligence, and the Bureau of Education, now appropriated to the Department of Public Safety shall be transferred to the credit of the Adjutant General's Office for expenditure by the Adjutant General in the exercise of such functions in accordance with law.

Sec. 5. The fact that the Governor of the State of Texas is without ways and means of carrying out the Constitutional mandate that he cause all the laws to be faithfully executed because the state police officers have been transferred from his jurisdiction and control to the Department of Public Safety, and the further fact that the calendars of the Senate and House of Representatives are in a crowded condition, creates an emergency and an imperative public necessity that the Constitutional Rule requiring that bills be read on three several days in each House and the further Constitutional Rule as to the times when the laws take effect, be suspended, and each of them is hereby suspended, and this Act shall take effect and be in full force and effect from and after its passage, and it is so enacted.

HOUSE BILL ON FIRST READING

The following House bill introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. McCann:

H. B. No. 1069, A bill to be entitled "An Act prescribing the time of meeting of the county board of school trustees in counties contain-

ing a population of not less than forty-eight thousand and eight hundred (48,800) and not more than fifty thousand and four hundred (50,400) inhabitants, according to the last preceding Federal Census, the meeting place of said board, the compensation to be paid each county school trustee, and the fund out of which said compensation shall be paid; providing that this Act shall be cumulative of all existing laws on this subject when not in conflict and when in conflict the provisions of this Act shall control; repealing all laws in conflict; and declaring an emergency."

Referred to the Committee on Education.

ADJOURNMENT

On motion of Mr. Celaya the House at 6:00 o'clock p. m. adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Counties: House Bills Nos. 1054, 1056 and 1060; Senate Bills Nos. 323, 358, 477, 479 and 482.

Public Health: House Bill No. 81.

School Districts: House Bill No. 1019.

Game and Fisheries: House Bill No. 1067.

Appropriations: House Bill No. 1066; Senate Bill No. 458.

The Committee on School Districts filed an adverse report on Senate Bill No. 396.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 166, A bill to be entitled "An Act to amend Articles 4557,

4558, 4559, 4561, 4562, Title 71, of the Revised Civil Statutes of Texas, 1925, requiring all persons desiring to practice optometry in Texas to pass an examination; repealing all laws or parts of laws in conflict with this Act; declaring that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 222, A bill to be entitled "An Act to amend Article 2978, Revised Civil Statutes, 1925, by adding thereto a new article prescribing additional requirements for the official ballot in general elections."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 457, A bill to be entitled "An Act amending Article 3810, Title 56, of the Revised Civil Statutes of Texas of 1925, providing for sales to be made under powers conferred by any Deed of Trust or other contract lien, and providing the manner in which notice shall be given thereof, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 524, A bill to be entitled "An Act amending Article 3899, Revised Civil Statutes of Texas, 1925, as amended by Chapter 311, Acts of

the Forty-fourth Legislature, Regular Session, and Chapter 465, Acts of the Second Called Session, Forty-fourth Legislature; and by Chapter 498, Acts of the Forty-fifth Legislature, to provide that premium on official bonds for county treasurers, county auditors, county road commissioners, county school superintendents, and hide and animal inspectors, and their deputies, shall be paid from county funds; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 739, A bill to be entitled "An Act authorizing and directing the Attorney General of Texas to make such investigation and to institute and prosecute such legal proceedings or suits, or take such other action as he deems proper to protect the interest of the State of Texas in and to the waters of the Pecos River; providing for the appointment of a member of the State Board of Water Engineers as Compact Commissioner, upon request of the Attorney General, to negotiate an agreement with representatives of the State of New Mexico and the United States of America concerning the storage, division and use of the waters of the Pecos River in New Mexico and Texas; providing that member of the State Board of Water Engineers appointed Compact Commissioner shall serve without additional salary; prescribing the authority and duties of such Compact Commissioner; prescribing the method of reaching such agreement and having the same agreed to and ratified by the State Legislature and approved by the Governor, and by the State of New Mexico and the Congress of the United States of America; making an appropriation to carry out the purposes of this Act; providing the Act shall not repeal Chapter 188, Acts of the Regular Session of the 42nd Legislature, but is cumulative thereof, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 848, A bill to be entitled, "An Act making appropriations to pay deficiency appropriations granted by the Governor prior to January 14, 1941, and for which no appropriations have heretofore been made, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 996, A bill to be entitled "An Act amending Section 6 of House Bill No. 303, Chapter 245, page 856, of the Acts of the Regular Session of the Forty-third Legislature, as amended by House Bill No. 373, Chapter 264, page 651, Acts of the Regular Session of the Forty-fourth Legislature, as amended by House Bill No. 893, Chapter 257 of the Acts of the Regular Session of the Forty-fifth Legislature, as amended by House Bill No. 626, Chapter 7, page 414 of the Acts of the Regular Session of the Forty-sixth Legislature; repealing all laws or parts of laws with reference to examination of organizations operating under House Bill No. 303, Acts of the Forty-third Legislature in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1036, A bill to be en-

titled "An Act validating all consolidated rural high school districts having a scholastic population of not less than 250 and not more than 700 according to the last preceding scholastic enumeration, and located in counties having a population of not less than thirty-one thousand one hundred and twenty (31,120) and not more than thirty-one thousand one hundred and thirty (31,130) inhabitants according to the last preceding Federal Census, created by an act of the County Board of Trustees out of a district or districts which had theretofore been a consolidated school district or districts; validating all elections, the levying of taxes, bond issues and taxes levied therefor and all bonds voted but not issued; providing that this Act shall not apply to any district now involved in tax litigation; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1038, A bill to be entitled, "An Act providing for a closed season on wild deer and wild turkey in Upshur and Camp Counties for a period of five (5) years; prescribing penalties for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1046, A bill to be entitled "An Act to amend Section 1 of House Bill No. 808 of the Regular Session of the 42nd Legislature, Chapter 69, Special Laws, page 157, as amended by House Bill No. 327 of the Regular Session of the 43rd Legislature, Chapter 34, Special Laws, page 42, providing for the

taking of catfish, perch, buffalo and drum in the waters of Delta, Hopkins and Franklin Counties, by hand or with a seine or net having meshes one (1) inch square; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1050, A bill to be entitled "An Act to amend Section 1 of House Bill 738 of the 35th Legislature, Chapter 76, Acts 1917, Special Laws, page 295, so as to change the name of the "Remlig County Line Independent School District" to "Brookeland Independent School District," and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1053, A bill to be entitled "An Act amending Section Five (5) of House Bill No. 194, Acts of the 41st Legislature 1929, Chapter 292, by reducing the interest rate of bonds in which taxes remitted to the City of Port Arthur may be invested; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1057, A bill to be entitled "An Act providing (1) an open season for quail in Cherokee County from December 1 in one year to January 16 in the following year, both days inclusive; (2) that it shall be

lawful to kill quail in Cherokee County on Monday, Wednesday and Friday of each week, after the 1st day of December, 1941, and continuing until and including the 16th day of January, 1942, and during the same time each year thereafter on the same days of the week; that twelve (12) quail shall be the limit which any one person may kill in any one day during this period; (3) that quail may be hunted and killed in Cherokee County only on Sundays and Wednesdays during the period from December 1 of one year to January 16th of the following year, both days inclusive; (4) that it shall be unlawful to take, kill, or attempt to take or kill any quail in Cherokee County; providing that no section of this Act shall be effective in Cherokee County unless and until the qualified voters of the county, by a majority vote at an election held for such purposes, shall have voted therefor; providing that only one section of this Act shall be submitted at any one time for ratification; providing the manner of calling and holding such election; providing for the posting of returns of such elections, describing the length of time which must intervene before a second election may be held on the same matter; providing that the cost of such election shall be borne by the petitioners asking for such election; describing violations of this Act and prescribing penalties therefor; limiting the effect of this Act to Cherokee County, and repealing all laws or parts of laws in conflict herewith, insofar as they apply to Cherokee; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1058, A bill to be entitled "An Act amending House Bill No. 843 of the Regular Session of the Forty-seventh Legislature by adding a new section to be numbered Section 1a, and to provide exemption as to certain waters of Lake

Corpus Christi; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1059, A bill to be entitled "An Act to amend Section 40 of Senate Bill No. 36, Acts of the Forty-sixth Legislature, to provide the effective date for making grants of aid and assistance to the needy blind and for destitute dependent children; making an appropriation for providing and administering aid to the blind for the period from May 1, 1941, to August 31, 1941; making an appropriation for providing and administering aid and assistance for destitute dependent children for the period of May 1, 1941, to August 31, 1941; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1065, A bill to be entitled "An Act providing that mutual life insurance companies and associations, operating under Senate Bill No. 135, Acts of the Regular Session of the Forty-sixth Legislature, may with the approval of the Board of Insurance Commissioners place provisions in the policies issued providing for the payment of reduced benefits or the exclusion of coverage if death or injury occurs while the insured is engaged in military, naval, aerial service, or aerial flight in time of peace or war; or while engaged in certain hazardous occupations to be named in the policies, etc.; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 177, Suspending Joint Rules for the purpose of considering House Bill No. 268 on May 28, 1941.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 180, Suspending Joint Rule No. 21 for the purpose of permitting the Senate to consider Senate Bills Nos. 488 and 486 on May 28th or 29th, 1941.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 181, Suspending Joint Rules to permit the consideration of House Joint Resolution No. 33 in the House on third reading and final passage on May 28, 1941.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 28, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 182, Granting the Legislature power to pass local laws by population brackets, on Wednesday, May 28, and Thursday, May 29, 1941.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 28, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 183, Granting permission for the Enrolling Clerk to correct House Bill No. 73.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, May 28, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 594, "An Act making an appropriation out of the General Revenue of the State of Texas for the Secretary of State, for the purpose of compiling, editing, indexing, binding, and distributing the current laws; making the same immediately available; providing for work to be done by the Secretary of State or by contract with any person, firm, or company engaged in the publish-

ing business; prescribing the manner of indexing, compiling and publishing such laws; suspending all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 28, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 997, "An Act appropriating One Thousand Dollars (\$1,000) for the Commission of Appeals to the Court of Criminal Appeals; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

May 28, 1941

House Bill No. 1000
House Bill No. 962
House Bill No. 594
House Bill No. 997

In Memory of
Dean T. U. Taylor

Mr. Howard offered the following resolution:

H. S. R. No. 314, In Memory of Dean T. U. Taylor.

Whereas, The House of Representatives of the State of Texas learns with deepest regret of the death of the dearly beloved "grand old man" of the University of Texas, Dean T. U. Taylor, dean emeritus of the University's College of Engineering; and

Whereas, The colorful personality of Dean Taylor will live on in the memory of those who have been privileged to know him in his long and brilliant career with the University of Texas; and

Whereas, His life of service to the State of Texas and its University has been a shining example to the student body and the citizenship of the State; and

Whereas, The love and devotion of the student body toward this teacher was demonstrated in the recent Round-Up festivities when the Round-Up parade was routed past Dean Taylor's home where he was confined because of illness, so that he might view the parade; and

Whereas, Mere words cannot sum up the warmth of this man's personality, the many, many fine things that he has done for students coming under his supervision; and

Whereas, He originated the student loan fund in the Engineering Division for the benefit of students in need of financial help, this fund idea originating with the lending of his own personal funds to worthy young men; and

Whereas, The School of Engineering of the University of Texas enjoys the reputation of the highest rating and this reputation has been built up through the efforts of Dean Taylor; and

Whereas, It is fitting that some of the highlights of Dean Taylor's life be set out here: He was born in Parker County, Texas, January 2, 1858; he graduated from Sam Houston Normal Institute in Huntsville in 1880, received his Civil Engineering degree in 1883 from the University of Virginia and his Master of Civil Engineering degree in 1885 from Cornell University and joined the University of Texas faculty in 1888, serving more than fifty years on the campus; he wrote many books on engineering, and held a membership on a large number of boards and commissions, being an honorary member of the American Society of Civil Engineers, there being only thirty-two men in the United States who hold this honor; he retired from full time service at the University in 1936. Funeral services are to be held on Thursday, May 29th. Some of the things fondly said of Dean Taylor are that he never took a soft nor a hard drink, had never scratched a Democratic ticket, and never "busted" a senior engineering student; now, therefore, be it

Resolved, by the House of Representatives, 47th Legislature, That the Members thereof express the deepest regrets on the passing of this noble character, and that we extend our heartfelt sympathies to the surviving members of his family; and be it further

Resolved, That when the House adjourns today, it do so in memory of Dean T. U. Taylor, Dean Emeritus of the University's College of

Engineering; that a page of the House Journal of today be dedicated to his memory and that the Chief Clerk of the House be instructed to send copies of this resolution to members of his family.

HOWARD,
CARRINGTON,
STANFORD,
BELL,
MARKLE,
STINSON,
TAYLOR,
WHITESIDES.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stubbs, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White and Winfree.

On the motion of Mr. Lyle, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.